

JUDAISM

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Poetry

Susan Comninos, Gary Pacernick, Miklós Radnóti, Chava Rosenfarb

A QUARTERLY JOURNAL OF JEWISH LIFE & THOUGHT

PUBLISHED BY THE AMERICAN JEWISH CONGRESS

Issue No. 177 / Volume 45 /

Number 1 / \$6.00 /

Winter 1996



STATEMENT OF SPONSORSHIP

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Articles published in this journal are abstracted and indexed in *Religious and Theological Abstracts*, *Religion Index One*, *The Index of Jewish Periodicals*, *Humanities Index*, *Academic Index*, *Social Sciences Citation Index*, *General Periodicals on Disk*, and *Periodical Abstracts*. The full text of JUDAISM is also available in the electronic versions of the *Humanities Index*.

JUDAISM: A QUARTERLY JOURNAL is published by the American Jewish Congress. It appears four times a year, in January, April, July, and October. Office of Publication: 15 East 84th Street, New York, N.Y. 10028. Re-entered as second-class matter at Post Office, New York City, N.Y. 10028-0458. POSTMASTER: send address changes to JUDAISM, 15 East 84th Street, New York, N.Y. 10028-0458.

	U.S.	Subscription Rates Canada and Foreign	Institutions/Libraries
1 year	\$20	\$22	\$35
2 years	36	40	65
3 years	50	56	90

Single copies: for individuals, \$6.00; for institutions/libraries, \$10.00.

All payments for subscriptions and mailings, whether in or outside the United States, must be paid for in American dollars and drawn on an American bank. Make checks payable to the order of JUDAISM, and send to 15 East 84th Street, New York, N.Y. 10028-0458.

Newsstand distribution in the United States by Bernhard DeBoer, Inc., 113 East Centre St., Nutley, N.J. 07011, Fine Print Distributors, 6448 Highway 290 East, Austin, TX 78723-1038, and Ubiquity Distributors, 607 Degraw St., Brooklyn, NY 11217.

US ISSN 0022-5762

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Camera-ready copy: Zoe Sodja, University of California, Santa Cruz.

Proofreading: Jacob Michaelson, University of California, Santa Cruz.

Design consultant: Jim MacKenzie, University of California, Santa Cruz.

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Talking Like a Jew: Reflections on Identity and the Holocaust

BERNARD HARRISON

And if a stranger sojourn with thee in your land, ye shall not vex him. But the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt: I am the LORD your God—Leviticus 19:33–34

1. Debts and Acknowledgments

IN THE SPRING OF 1990, I WAS IN JERUSALEM GIVING some lectures at the Hebrew University, and my wife and I signed up for a tour of the Old City run by a Jewish agency.¹ The guide was a compact, voluble, relaxed man. It was raining, and at a certain point we took refuge in a cafe in the Jewish Quarter. I bought the guide a coffee, and we fell into conversation, I cannot now remember about what. In any event, in explaining some point of his, he looked at me and added, “As a Jew you’ll know exactly what I mean. At least I take it you’re a Jew.” I did not want to deceive him. I said, as I recall, something along the lines of “Well, I’m not a Jew, actually, I’m a goy; but I have a lot of Jewish friends.” Unfortunately I had not stumbled two words into this inanity before it struck me how defensive it must sound. He looked at me, and I saw his eyes narrow and the corners of his mouth stir: it was evident that he did not believe me. But equally clearly, what was it to make a song and dance about, that some tourist should attempt to deny his Jewishness even to a fellow Jew? He let me finish and then said, with an air of finality, “Well, you talk like a Jew.” Then he got up and thanked me for the coffee and we went on with the tour.

A curious, but not, one might think, a particularly interesting exchange. And yet odd, because a Jew in Jerusalem of all places ought, one would have thought, to be able to tell who is a Jew and who is not. The Arab in the Armenian Quarter, who shouted at my wife and me across the otherwise deserted street, “Jesus very bad man,” knew very well with what species of infidels he had to deal. The other, elderly and dignified Arab in an astrakhan cap who showed us very kindly around the Haram al-Sharif plainly took me to be an English gentleman, and if he was wrong about the second of these things, as foreigners so often are, he was right about the first. We got on very

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well on that basis, and ended up having a conversation about the government of the Muslim holy places entirely redolent of Barchester.

What might seem odder, perhaps, was my own reaction to the episode. I felt, mildly but unmistakably, ashamed of myself. It was as if in telling him the truth I had told him a lie, or at any rate not the whole truth; and as if my motive had not, after all, been wholly that of undeceiving him: as if there had entered into it, somehow or other, just that element of withdrawal, of denial, of which his wary half-smile and his closing words seemed to convict me. And *had* I not shown, possibly, a certain evasiveness: a refusal to share with him, if not a common Jewish identity, then at any rate something perhaps more diaphanous, but still substantial and evident in the way of community, even if amounting to nothing more than the common way of looking at things which had struck him as worthy of comment in the first place.

Common sense told me that this was an oversensitive and scarcely rational reaction. For what could I possibly be hiding from myself in a case like this? Surely any man is the last court of appeal on his own identity? Descartes taught us that, and Kant turned it into the leading moral principle of the Enlightenment: that we are individually responsible for what and for who we are.

None of these considerations, though, sane and reasonable as they might appear at first sight, quite served to dispel my sense that in some deep way he was right to smile and I was right to feel rather ashamed of myself. How, after all, *can* a Jew in Jerusalem, a guide moreover, who sees hundreds of tourists every week, be *altogether* wrong about which of them is Jewish? Is it so clear that each of us knows who he is? That each of us is the author of his own identity, with sole rights to any royalties payable on it?

And really, when it came right down to it, I knew perfectly well what he had seen in me. Only I was startled to find it so visible to another. The identity of any man or woman is, after all, or often is, a palimpsest composed of fragmentary memories, imprints, of those he or she has loved. Other voices sound in ours, echo in the phrases we unwittingly choose. Ways of thinking which have charmed us in the hands of their originators reawaken later in the style of the thoughts which spring unbidden to our minds. Gestures of others stir in the unconscious movements of our hands. We are like trees in whose soughings can be heard obscurely the songs of the birds which have come to settle in our branches. In my case, for complicated reasons, many of those songs have been Jewish songs. The tree, it seems, has learned them, and now it sings them over to itself, happily and unwittingly, for they have become part of it.

And of course, once one begins to admit possibilities of that sort, the notion of identity begins to shift and shimmer in ways which let in just the kind of regrets and guilts I seemed to be feeling. "I told him the truth." Well, so I did, in a sense and up to a point. But may there not be, perhaps, more than one truth to be told in a case like this? And is truth the only criterion of adequacy which a declaration of identity must meet? Is a declaration of identity not also an acknowledgment? If Jewish ways of looking at and putting things have become

recognizably a strand in my identity, have I not received parts of myself as a gift from Jews? And did I not deny that gift, refuse to acknowledge it, in uttering to this man, who so casually and kindly affirmed fellowship with me as a Jew, all that blather: "No, I'm a goy. . ." and all the rest of it? And in denying that did I not deny him? Deny myself?

Kantians may be left to determine whether it would have been worse for me to tell him a formal untruth rather than to slap him in the face in that way. Perhaps it is just that the whole truth, as the Idealists thought, is always more than the arithmetical sum of the truths which go to make it up. There seemed to me, at any rate, something here to be explored. And the first requirement seemed to be that I try to remember; to reconstruct the route by which I came to be leaving that cafe, regretting after the event the loss of a proffered community through the affirmation of a truth which, while faithful enough to Halakha, in other respects turned in my hand, as that man perfectly well saw, into something somewhat less than the whole truth.

2. Ways of Being a Stranger

As the late, only child of a Catholic/Anglican marriage I was brought up as a Catholic, or rather, strenuous attempts were made to do so. These attempts were gravely hindered by my constitutional inability to believe, for very long, anything at all, over and beyond such simple truths as that grass is green, water wet, and so on.

My mother, whose responses remained true to her Anglican upbringing in putting integrity of relationship before matters of doctrine, did not mind much about this. My father did mind, a great deal, and there religion remained a cause of occasionally bitter and noisy conflict, and for both of us, I suppose, the source of a sense of rejection and alienation throughout my childhood and adolescence. The worst of it was that I did not, and do not in recollection, dislike my father, though at times, of course, I have hated him, as no doubt at times he hated me. Had it not been for the coming between us of doctrine and belief we might, I imagine, have had the sort of relationship I have with my own son. And there was nothing I could do about it, for nothing I could do would do. Although I could obey, *pro tem.*, the forms of his religion, I could not believe its factual claims, and that was what mattered to him. Belief, after all, is not something one does, and so not something one can do, for oneself or anyone else.

In addition the family moved about a lot, in ways which interrupted my schooling and broke up my friendships. In 1945 we moved from the pleasant Gloucestershire town of Dursley, where I was happy at school and had friends, to Cheltenham, where I was accepted into the Grammar School. This was an altogether rougher and more urban school than Dursley, in which bullying was rife. It followed a formula: one term one boy in the form would be chosen to have his wits hounded out of him, next term he could, if he wanted, join the persecuting gang and another would be chosen in his place. This interesting convention

caught up with me in the fourth form. My term came after that of a child called K. A. G. (or “Kaggy”) Jones. My bicycle tires were let down more times than I now remember and at one point many hands flung me bodily over a six-foot wall: I came down heavily on one hip, and limped for several weeks. I don’t recall having taken part in the persecution of Kaggy the previous term, or being welcomed by the persecutors the following term. I think they just turned their backs on me and started bullying someone else, perhaps because they sensed that I not only did not belong but did not want to belong, which diminished any hold they could have on me. And in fact my feelings about all this were not ones of exclusion, or even, particularly, resentment, but rather of alienation. I really did not want to be accepted by these demented loons. I felt no more sense of belonging towards them than if they had been Martians, or ants. I remember applying myself ferociously to schoolwork at that time, because I wanted so badly to be grown up: no longer to suffer the impotence of being a child.

Looking back, it strikes one, of course, that this was not a particularly healthy outlook for a child of thirteen or fourteen. Certainly those first two or three years at Cheltenham Grammar School were the most alienated and friendless of my life. During that time, I suppose, I learned some useful things: the ability to pursue solitary projects with extreme pertinacity, for instance. I also learned something less useful: an emotionally rooted suspicion of groups, gangs, clubs, inner rings, and parties of all kinds, which I now realize has in some degree disabled me from engaging in collective life.

I might, I suppose, have been equally permanently disabled for friendship, had it not been for something which happened at my entry into the sixth form in the autumn of 1948. Native stupidity or the lingering effects of my haphazard early schooling had kept me in the C-stream until then; but I had worked myself out of it, and now found myself with strangers who, meanwhile, had been going through in the A and B streams. With one of them, Walter Harris by name, I found myself, suddenly, getting on amazingly well. The Great Adolescent Friendship had arrived. His family, by origin Russian Jews, were Orthodox and observant. One of his ancestors in the last century, a grandfather or great-grandfather, had been a Magid in Slutsk, *the Slutsker Magid*, indeed. The family kept a shoe-shop on a minor Georgian street, a street then full of character: further up was the wonderful warren of a bookshop from whose wares I gained most of the pre-university education that has stayed with me, when much gained since has gone.

I had, I soon found, acquired not merely a friend but friends. The Harrises, poor things, had by the same token acquired a more or less live-in *ger toshav*, and the commandments of Leviticus concerning the Stranger that Dwelleth With You were staring them in the face. They rose—how they rose!—to the challenge. For the next three years I was seldom off the premises; and they were, for me, sublimely happy years, the happiest of my life up to that point.

The house opened and received me. It was a tall, rambling house, and on every floor, usually, something interesting was going on. Wally’s elder sister

Sheila, who was a dance teacher, might be doing the fox-trot on one floor, while downstairs the shoe business was in full swing; and at all hours there seemed to be the possibility of extempore meals of a nature, for that period, wonderfully and liberatingly un-British. I discovered matzos, and anchovies, and mayonnaise, and latkes. There was advokaat, which Walter and I drank while we talked, mostly about books, or music. There were many, many books in the house and many 78 records, mostly the property of Walter's elder brother Jack, a mysterious and exciting off-stage figure, who had gone to Jamaica and was said to be running a radio station there. The comings and goings of Jewish life, the departures to make fortunes elsewhere with a collection got up by the rabbi and all the rest of it, were wholly new to me, and opened a window on what to me at that age seemed a rich and lovely world of displacement and movement. Mrs. Harris, in the twenties, had been an actress in fit-up theater in America. I remember a lunch one day at which she began to recite from *Richard II*, while tears ran down her face at the beauty of it, and we sat and listened, dumbstruck. I fell irretrievably in love with the idea of becoming a Rootless Cosmopolitan, and I suppose that in a small way I may even be said to have achieved it.

After the day-in-day-out aridity, the glumly bread-and-butter dreariness of my non-Jewish life in that shattered, prosily sanctimonious Utility Britain of the late 40s, it was all light, it was all color; it was Civilization. And what made it so wonderful was that, non-Jew that I was, and worse, constitutional loner and outsider that I was fast becoming, I was taken in, without any fuss or bother, as if it were the most natural thing in the world, and made free of it.

The heart of it, I suppose, was that for the first time in my life nobody wanted to convert me to anything or get me to believe anything. There seemed to be no hidden agenda in their friendship. They seemed not to care what I thought: they accepted me for what I was, as a person, without in any way scrutinizing my inner life for evidence that I satisfied some predetermined set of criteria for community with them. They seemed not to care, as my family, and the school in one way and its unofficial gangs in another cared, whether I had the right sort of identity; whether I was "the right sort of chap" or something sprung from Outer Darkness.

Subsequent experience has led me to think this ability to extend community without conditions a very rare and valuable one. It is not at all an uncommon one for non-Jews to encounter in Jews, and I think that has something to do with the fact, I almost said the blessed relief, that Judaism is not, even in ambition, a universal religion. Because it is not there is, in a certain sense, a place set ready at its table for the non-Jew, the unbeliever, the outsider. He exists for Judaism not as a barbarian or savage—a merely provisional human being pending his voluntary or forcible conversion—and not, or not unless he wants it that way, as an enemy, but as another sort of human creature; one to be negotiated with as a reasonable being and by no means, as Leviticus insists, to be treated as anything other than a human being, with the same rights as "one born among you."

3. Judaism and Dogma

There is also, built into the very structure of Judaism, what I can only call a certain epistemic modesty which I have always found both charming and admirable. Jewish eyebrows will rise at this, and of course I know that a boy in an Orthodox family who displays, as I did, an early penchant for disputing about religion, can expect to be reminded that he is Nathan Goldman, not Rabbi Akiba. Judaism, like Catholicism, has a tradition of respect for authority. But the two religions dispose of quite different traditional procedures when it comes to deciding what is to count as authoritative. What I have in mind can be brought out, perhaps, by a comparison with the atmosphere of the Catholicism in which I was brought up. That atmosphere was exclusively Catholic; and I use the word "exclusive" quite literally. We had, so far as I can recall, no non-Catholic friends; at least none who came to the house. The Church even forbade us to attend the religious services of other denominations. And this exclusiveness was not a matter of trying to preserve cultural difference. We possessed no such thing: we were an intensely "ordinary" English family. Its justification was an epistemic one: it was that we possessed "the Truth." The very name of the body charged with the diffusion of Catholic religious knowledge in Britain was, and for all I know still is, the Catholic Truth Society. I remember on one occasion, when Jehovah's Witnesses knocked at the door, my father dismissing them with the words "We know the truth in this house, I'm afraid." This sort of thing does, I know, have a certain sort of dotty grandeur, or at any rate chutzpah, about it. It is just the sort of thing which attracts the sort of person who cannot abide uncertainty to become a convert. But at the same time, of course, it is chilling in its triumphalism, its sense of arrival, of occupancy of a great and spiritually dangerous height from which, fortified for every occasion by the appropriate and infallible dogma, the occupant looks down on those who seem to stand for ever forlornly Outside, their lives in Webster's phrase one general mist of error. I can never look at one of those ideological seventeenth-century religious allegories in which "Synagogue," depicted as a shadowy, weeping woman, slinks away into the darkness of Error, without recalling the sickroom atmosphere of impossible certainties believed in with more of desperation than conviction which dominated my early childhood. And as I have grown older, though I have never entered a synagogue other than, as a tourist, the intensely sad ones in the Ghetto Vecchio at Venice or the equally sad tenth-century one at Cordoba with the decaying Renaissance cross crudely daubed on its wall by the victors of the Reconquista, and although my sketchy knowledge of Talmud remains utterly unsystematic and derisory in its scope, I have come to find occasional contact with the spirit of "Synagogue" one of the best ways of dispelling that atmosphere. The bracing and cheerful thing about Jewish religious writing, for me, lies in its founding assumptions: on the one hand that, though all wisdom is undoubtedly contained in Torah we have by no means yet exhausted it; and on the other hand that the method by which the Word is to be interrogated is not that of collective

agreements on the fiats to be issued for the pious acceptance of the faithful by Diets and Convocations, but that of study and argument. Such an attitude implies no disrespect for truth. But it is, of course, inherently antiauthoritarian and antitriumphal. This is not to say that Judaism has never experimented with doctrinal conformity. Thirteenth-century Maimonists and anti-Maimonists apparently excommunicated one another with enthusiasm. For that matter disputes between Judaisms are very lively today. But Jewish disagreements and exclusions never seem to have had the bloody consequences which have so often attended Christian schism; and there is that celebrated and moving case, in which the author of an attempt to have Maimonides' books burned as heretical by the Christian authorities, having as a result set off a general burning of Jewish devotional books, spends the rest of his life repenting at the grave of his intellectual adversary. No doubt one reason why triumphalism about "the Truth" has proved so shallowly rooted in Jewish life is that Christians have historically gone in for that sort of thing with so much more conviction, and savagery. But then, the reasons why Christians have led in that department are surely ultimately grounded in the epistemic practices which distinguish the two religions. That heresy-hunting has historically taken such mild and marginal forms in Judaism is surely a consequence of the fact that the study and exegesis required to extract the full significance of the words of Torah is by its nature a business never fully completed, and equally by its nature one which demands the genius and piety of individual scholars and sages, and cannot be assigned to a committee to square off once and for all into a body of "dogma."

For that, and no doubt for still deeper reasons, doctrine, per se, has never held the dominant place in Jewish life that it has held in Christianity. Jews, unlike Christians, have never located the primary ground of their distinctness, religiously speaking, in their possession of a true account of reality; nor have they held belief in a particular account of how things stand in this world and the hereafter to be the central condition of salvation. It is not belief in anything which holds the central place in Judaism, but the Law. Job's prayer is accepted because he, and not the Comforters, has told the truth; but it is the truth about his own justice that he has told: the truth about anything else, as God tells him and he accepts, is altogether beyond his scope. Jews, in short, are not people with a guiding Truth to bang into the heads of others who are without or who doubt it, but people who stand under a Covenant, a bargain with God, one often strange and even inexplicable in its terms, but one which they propose to keep, for their part, come hell or high water. Gentiles, by the same token, are not to be viewed as people sunk in error, who should be made to swallow for their own good some saving body of propositions, but simply as people outside the Covenant, and so, in effect, irrelevant to Jewish life. One side of this attitude is summed up in the joke about the old Jew who comes to Berlin from a remote village, 95 percent Jewish, and says to his friend, "So many Goyim here, so many. . . . But, you know, for Shabbes, why do you need so many?" To the adherent of a universal faith this will no doubt seem a stance of shocking

unconcern for the moral and spiritual welfare of fellow human beings, but from a practical point of view it seems to me to have much to recommend it.

There was one occasion, and one only, when religion entered my relation with the Harrises. One Saturday I arrived at the house on my bike and went up the stairs whistling. I had not long to wait to learn the error of my ways. An awful decree went out from Walter's father: if there was to be whistling on Shabbes I had better not come. And out I duly went, until he relented and allowed me back two weeks later. Jewish friends to whom I have told this story, with fond recollection, have one and all been dreadfully upset and appalled, in a characteristically and charmingly Jewish way, at such scandalous and outrageous treatment of a guest. "Oh, God," they say, "isn't that just typical of the Orthodox? Such arrogance! How could he do such a thing? Why on earth should you be expected to keep the Sabbath? You weren't even Jewish, for God's sake!" I try to quiet them down and explain that that was not at all the way it seemed to me at the time. Mostly it is quite hard, if not impossible, to make them grasp how it did seem to me. After all, why should the budding *athéiste du village* that I was then, having rejected his own religion, be charmed by an attempt to make him conform to the requirements of another, and this time completely alien one?

Partly, I suppose, it was a matter of my respect for Walter's father, a tiny, elderly man who often wore a yarmulke and who to my adolescent eyes at that time carried about with him as he sold shoes little less in the way of reverend authority than the Slutsker Magid in person (one must remember that I was very young and that all this was totally new to me). I felt keenly on his behalf the pain of having a *shaygetz* such as myself cluttering up the house, and anxious to do what I could to mitigate the affront I felt to be inherent in my existence.

Then again, it is natural, I suppose, to be sentimental about people and milieux through which one has known sudden and unexpected happiness. Certainly I remain to this day a prey to a shameful degree of sentimentality towards things Jewish. The most ghastly piece of kitsch "judaica," which would never have been permitted to darken the Harris' doors, nevertheless speaks to me of the peace and comfort of that house, and induces in me a wholly involuntary flow of good humor. Even the letters of Hebrew, like little lines of leaping flame, have to me a cheerful aspect, as if they manifested the energy of life itself. It is no doubt a mercy that I remain, in detail at any rate, unacquainted with the doctrines of the Kabbalah, since they would find a path to my heart quite unconnected with any intellectual merit they might possess.

But, looking back, I doubt if either of these explanations quite goes to the heart of the matter. There were two basic reasons. On the one hand there was a sense of common fairness. They were being so nice to me: was there nothing I could do for them? If not whistling on Shabbes would make a contribution then, by God, there should be no whistling on Shabbes if I had any hand in the matter. The second, though, is the main one. I was, indeed, "not even Jewish." But in requiring from me some decent modicum of respect for Shabbes he was

treating me, in effect, as though I had been: as though I were really “one born among you.” He was trying, in a testy sort of way, to civilize me, to give me at least the most minimal rudiments of a decent Jewish upbringing. And I liked that. That pleased me. Evidently I had found, at last, a gang in which I felt at home, one to which, *per impossible*, I would have been happy to belong; so that to me that little consolation badge of belonging he had bestowed upon me, of being treated like the rest, was a badge of honor.

One might have expected that the discovery that Jewish was what I would really have felt at home being, given that I was the son of English mothers for generation upon generation and beyond them, no doubt, of British ones back to the immemorial mud, pigs, children, and spears of the hill-forts, would simply have deepened my sense of isolation and alienation. But it did not: quite the contrary. As the steamy morning mists of adolescence lifted, and what Peacock calls the light of common sense began to break through, I realized, of course, that I was not and never could be Jewish. But by that time it did not seem to matter. The good had been done. If unconditional friendship, domestic conviviality, and quiet, rational conversation could be found among Jews then perhaps they might exist elsewhere. A light of humanity had shone in that terribly grey and chilly postwar dawn by which I could see and go forward.

4. Interpreting the Holocaust: Universality vs. Uniqueness

All of that took place forty-five and more years ago, between 1948 and 1951, when I went up to university. The Holocaust had come to an end three years earlier, but I do not recall it playing much part, or indeed any part in our conversations. We all knew what had happened, of course. And I, as it happened, knew on independent grounds that what had occurred was by no means unprecedented. My mother was brought up in Vienna, by wealthy relatives, before and during the First World War. Some time before the War, going by train to visit friends of the family who owned a small estate in Hungary, she noticed what seemed to be a partly burned-out village on a hilltop. She was told, and later told me, that the priests at Easter incited the people to attack the Jews and burn their houses, and that the burned village had been one where many Jews lived.

But, as I say, we did not speak much or at all of those things. Partly, I suppose, it was that we were very young. Partly that the enormity of what had happened was too foreign and too near in time to focus on. Last year, in, of all places, the Irish National Gallery in Dublin, my wife and I met someone who had been, as a child, in the Lodz ghetto. We just happened to be standing beside her, looking at a nineteenth-century painting showing the eviction of Irish tenants, and she dissolved into tears at the nature of the subject-matter. We talked for a time about Lodz, her emigration to America, her daughter, who has joined a *haredi* group, contrary to her own undimmed beliefs in the values of the Enlightenment; then my wife and she embraced emotionally and she left

to look for her companion. That sort of thing did not happen forty years ago. At university I knew several people, the same age as myself or a little older, who had been through the camps. They did not want to talk about it. On the contrary, an almost eerily bright briskness and cheerfulness reigned. No doubt—one is told—that has to do with the psychological effects of trauma. But I am not sure that the silence of the Jews I knew in those days, who had passed alive through the camps, was only the silence of trauma. For they had not merely survived; they had survived as people, by which I mean that they were, after atrocious experiences, still capable of turning towards life and of making new lives: just as that woman in Dublin had gone to America, had married, had borne children, had brought them up, by the sound of it, well: had made a life. Their silence was in part, at any rate, not the silence of the devastated but the silence of the indomitable.

It seems to me not improbable that many were helped in that by the fact that they were Jews. There is that in Jewish tradition which cleaves to life, which will not be deflected from the building of new life; something which is the polar opposite of the will to suicide and the contempt for life which shows itself, for instance, in the Romantic sentimentalizing of *Götterdämmerung*. That spirit obstinately turns its back on adversity, however terrible, in order not to be mastered and destroyed by it. One can see that impulse working in Jewish writing which denies the uniqueness of the Holocaust, impressive examples of which include the articles by Mark Mazower and Mark Levene in Number 156 of *The Jewish Quarterly*,² echoed in the strand of Israeli opinion represented, for instance, by recent public utterances of Yael Dayan. The arguments are persuasive. They involve pointing out that the kinds of horror which took place in the death camps happened then, and have happened many times since, to other groups than Jews, most recently in Rwanda. Should one not therefore cease insisting, is it not a kind of lachrymose self-indulgence to insist, that Jews are unique in their suffering? Should one not speak of holocausts and genocides in the plural, and attempt to understand the causes of such horrors in general, rather than concentrate only on the possibly unrevealing circumstances of what happened to Jews under the Third Reich? Such arguments are resisted, of course, by those who do want to defend claims for the uniqueness of the Holocaust, and the general presumption seems to be that the two positions are irreconcilable.

Coming at it as a non-Jew, I am not so sure that they are genuinely contradictory positions. To take the “universalist” argument first, I suppose the first thing one feels, reading these articles as a non-Jew, is astonishment at the kinds of magnanimity that Jews seem capable of finding in themselves. There is still to be found among Gentiles that ghastly stereotype of the Jew as grudge-bearer par excellence, the literary paradigm of which is, of course, Shylock. I recollect being taught myself as a boy that the “Morality” of the Old Testament rests on retribution while that of the New Testament rests on forgiveness. As if there were just one moral theme and one only in the whole of Torah, and that

revenge! Be that as it may, one would have to go rather a long way, I think, to find another abused community some of whose members are prepared to stand up in print fifty years after the loss of six million of its people in circumstances of atrocious pain and despair, and urge their fellow members not to dwell on the uniqueness of their suffering, but to think a little of the present and past sufferings of non-Jews, of strangers. To say the least, this phenomenon, this new refraction of Leviticus 19:33–34, is one to prompt self-examination in non-Jews. Pursuing that thought, the second thing that occurs to one, I suppose, is that while one can easily see that, and why, it is entirely proper for Jews to view the Holocaust as Mazower and Levene suggest, and while, obviously, it is a natural position for Jews who feel outrage at Israeli treatment of Palestinians to take up, it may not be all that morally safe for non-Jews to view the Holocaust in that light. One's gut feeling, my gut feeling as a non-Jew, is that it lets the matrix culture, the historic culture of Europe in which anti-Semitism thrive, and thrives, far too easily off the hook.

When trying to identify the characteristics which make the Holocaust unique, one's natural tendency, no doubt, is to look first at the nature of the sufferings that were inflicted on people. We live in an age, after all, when the distinction between wickedness and suffering has become obscure to people, and pain seems to us the central way in which evil manifests itself in the world. But no uniqueness is to be found here. Does it make much difference, after all, whether squads of government-appointed murderers drag one out of one's house to one's death because one is Jewish or because one is Tutsi? Seeing this it is natural to turn, following again a path offered us by the familiar moral philosophy of the Enlightenment, to questions of motive. The motive behind the Holocaust was to get rid of all Jews, to achieve a *judenfrei* Europe. That, we say, is what makes it genocide; maybe that is what makes it unique. The trouble with this is that there are other attempts to destroy all of a people on record. In parts of Australia, aborigines were hunted in the last century as one might hunt animals considered vermin, with a view to extirpating them. I have myself stood in a bar in Western Australia, and heard a young drunken man boast at the top of his voice of how his grandfather went on "abo hunts." Of course, not all aborigines were destroyed in this way: their tiny bands were too widely dispersed, the distances too vast, the deserts of the interior too forbidding. But the will to hunt them to extinction, had that been possible, was there.

And yet, I think, for all that, the Holocaust was unique, or almost so. It was unique, one wants, gropingly, to say, not because of the content of the aims in whose service it was put into effect, but because the aims in whose service it was put into effect had no content in the ordinary sense; were in a certain sense vacuous; were phantom or spectral aims; the stuff of nightmare or the sleep of reason, not the stuff of ordinary crime. Those who carried it out had no reasons for carrying it out, no reasons capable of bearing a moment's rational inspection, no reasons at all, if by "reason" one has in mind the sort of thing that motivates ordinary human evil.

Let me examine that first crude approximation more closely. The present sufferings in the former Yugoslavia are taking place because Serbs in Bosnia and Croatia refuse to accept the secession of those two states, brokered by the European Powers, from the former federation. They can point, in defense of their unwillingness to accept that, to the sufferings inflicted on Serbs, Jews, gypsies and others, by the Nazi-backed Croatian Ustasha, with the help of some Muslim forces, during the Second World War. We outsiders can, and no doubt should, refuse to accept that as a sufficient reason for the barbaric cruelty with which the resulting war has been carried on by the Serbs: the ethnic cleansing, the random killings by snipers of innocent civilians, including children, and so on. Nevertheless, I think one has to admit that, however insufficient, it is a relevant reason for prosecuting a war. On the one hand it involves demands, for security, for national integrity, which everyone admits as, in principle and *prima facie*, legitimate demands, while on the other hand the facts to which Serbs point in defense of their claim that those demands would not be met under the rule of Tadjman or Izetbegovich are actual, verifiable facts. There really was, for example, an extermination camp at Jasenovac in which Serbs (and Jews) died in considerable numbers, and so on. If we move to cases of actual genocide, though the reasons that can be offered get ludicrously threadbare in their insufficiency, we do still encounter reasons which are still recognizable, intelligible, as reasons. The graziers in the Australian case wanted, no doubt, revenge for Aboriginal spearings, and beyond that to put a stop once and for all to the dangerous nuisance constituted by armed aboriginals traversing their land. And elsewhere, including Rwanda, we find a similar play of the sort of grounds of conflict, including antecedent harms, threats to security, nuisance, competition for scarce goods, political threat, and so on, which have immemorially led to the commission of ordinary human evil.

When one looks at the Holocaust, however, one encounters a singular dearth of grounds of conflict in that ordinary, commonplace sense. The Jews of Europe constituted no threat whatsoever, either political, economic, or military, to the Third Reich. On the contrary, their continued free economic activity might have considerably benefited the Axis war effort. From the reverse standpoint, their destruction conferred no benefits whatsoever on Germany, and consumed resources which might have been, from an ordinary strategic point of view, more wisely deployed in other ways. One of the reasons, we are told, why the Allied command found it difficult to believe reports of what was going on was that they seemed to require the presumption of collective lunacy on the part of the enemy. Of course, if one looks at the anti-Semitic propaganda of the regime, one finds all sorts of claims designed to establish, precisely, that there existed what I have called "ordinary grounds" for moving against the Jews. But these claims dissolve, in a phrase of Wittgenstein's, into a little dust and grey rags. No "Jewish plot" can be substantiated on the plane of real politics. Those deeper threats against the

genetic or cultural identity of Europe of which we hear so much dissolve when one traces out their claims into paranoia, nightmare, darkness, and dream. In no case do we reach a ground of hatred possessing the actual, prosaic reality that Jasenovac, for instance, possesses for Serbs. What, precisely, are “the Jews” supposed to have *done*? Again, the motive of genocide is often theft, usually of land occupied by primitive people, who when they take up arms against a ludicrously stronger invader find themselves not only beaten but hunted to extinction. Theft of territory was certainly a motive for the attempted *Drang nach Osten* against the Slavs, but will it stand as an “ordinary” motive for the Holocaust, converting it into “ordinary” iniquity? Certainly the expropriated property of German Jews was carefully catalogued and transferred to the State, as were the pathetic belongings of the dead, but nobody imagines that to achieve these transfers was what the Holocaust was *for*. These cataloguings, these neat prodigies of accountancy, like the careful weaving of paranoid fantasies about political or racial conspiracies, were, one wants to say, just a front, designed to conceal behind a mask of “normal” *realpolitik*, of “ordinary” human wickedness and state criminality, something which by its nature utterly transcends not only those but any other categories we are accustomed to use in thinking about moral evil. War in our century has certainly distinguished itself in the murder of children and non-combatants generally. But it is one thing for children and non-combatants to die because they got in the way of a bomb which had other ends in view. They died to save combatant lives, we can say, or they were the eggs broken to make such distinguished omelets as “Democracy” or “Socialism,” or, when we are pushed to the limit and can think of nothing better, they died because as the cliché phrase has it “war is hell,” and it isn’t our fault that it is. These answers are no doubt intolerably feeble. No doubt they represent part of the tribute that vice pays to virtue. But at least what they pay tribute to is virtue.

It is something else again when a regime kills children and other non-combatants, but not in any way which could enable its spokesmen subsequently to express regret without repentance in the usual fashion by way of the usual sophisms: when it goes out and rounds them up, searches them out in orphanages or in any family which may be hiding them, and arranges their transport to sites where specially constructed machinery for their murder has been prepared. Naturally we want to know, among other things, what advantage was sought by such policies, what threat they were designed to counter, what recognizable human greed or lust or passion they served. And only in this one extraordinary case of the destruction of the Jews of Europe do we receive no answer to these questions, or no answer that does not dissolve into dreams and dust when we examine it. One wants to say that the “answers” offered are not even tributes paid by vice to virtue, but tributes paid to vice by something far beyond and far worse than vice as we ordinarily understand it.

That is why I think that the “universalist” line pursued by Mazower, Levene, and others, attractive and humane as it is (and as I have said, I think

it is not just “attractive and humane,” but profoundly in accord with the text from which this essay began and to which it will return), does not quite do justice to the facts. I want to say that the Holocaust is in one respect of the same nature as every other human disaster; in another respect unique. Its universality resides in the nature of the sufferings inflicted. Its uniqueness resides in the nature of the iniquity involved in inflicting them. I don’t think this is a particularly recondite distinction; and certainly not a clever discovery of mine. It was very well understood fifty years ago. It is because people took some such distinction for granted, indeed, that the death camps did not strike people, even at the end of a long and horrific war, as just one more barbarity on top of many others, but were regarded as constituting something eldritch, abnormal, *unheimlich*, requiring the elaboration of a wholly new category of crimes: war crimes. I have the impression of late years that it is a distinction in process of being forgotten. The second half of the century has heaped barbarity upon barbarity to such an extent that to generous-minded people the maintenance of such a distinction has come to seem like a cavil or a surrender to nationalism; and of course there are plenty of people around who want to erode it for reasons far from generous. I, on the contrary, think it essential to our humanity to try to keep a grip on it. And I think if one comes to dwell, even from motives of generosity and outrage, solely upon the universal aspects of the Holocaust, one does risk gradually blurring one’s perception, and other people’s perception, of the kinds of lack of fit between it and other kinds of barbarity which I have been trying gropingly to formulate.

If we treat its barbarities as falling into the same category as the barbarities of war, for instance, we shall inevitably drift into thinking of it as susceptible of the same sort of insufficient but at least relevant sorts of justification which attach themselves to the barbarities of war. We shall begin to put the Nazi who offers us in justification of the Final Solution a copy of the Protocols of the Elders of Zion into the same category as the Serb who offers in justification of the invasion of Croatia a history of the camp at Janesovac. So thinking and feeling, we shall forget the real nature and enormity of what took place; and we shall lose also the means of focusing upon certain features, not just of Nazism, but of the European culture of which Nazism was one perfectly authentic expression (I mean, it was not concocted by the Muslims, or the Chinese), which we—I mean both Jews and non-Jews—need to be able to focus on. What those features are I shall attempt, equally gropingly, to say in what follows.

5. Identity and Anti-Semitism

I have not so far mentioned another, and obvious, way of formulating what is unique about the Holocaust. It is one thing to be killed, even to have everyone one knows and loves wiped out, by a bomb, or by invading foreigners. It is something else when the police of one’s own country, the representatives of a polity to which one had thought one belonged, come to one’s house and arrest one, and all one’s relatives, and send one without trial to execution, for no

crime, for nothing for which one could rationally be tried, but solely because one is perceived by those in power as an outsider: a stranger. Leviticus 19: 33–34 is still haunting our steps. If you look for parallel crimes against that particular article of the Law you must look far. Communal violence of the sort which this century has witnessed between Hindu and Muslim in India, or between Catholic and Protestant in Ireland, is no doubt the closest analog. But in such cases there is invariably a long prior history of communal discord and violence. It takes two communities, in short, to make such quarrels. To make European anti-Semitism and its outcome it took only one.

Anti-Semitism is doubtless irrational in the sense that none of its allegations reflect reality. But it has internal, subjective coherence. It coheres about certain deep fears which surface in all anti-Semitic writing: fears about the loss or corruption of identity.

I have a recent British example in front of me. Like many academics I receive a thin but constant trickle of unsolicited mail from people with bees in their bonnets. Twice over the last five years this has included a thick packet of rather beautifully printed little brochures from someone who styles herself variously “Geryke Young (Mrs.)” or “Ad Hoc Publications,” the latter with a box number in W14. Mrs. Young’s observations on “the Jewish Question” are genteel, pseudo-academic and rather niminy-piminy in tone. She is evidently a tireless propagandist for her views: one packet includes a sensible, long-suffering reply from Sir Yehudi Menuhin, who has “received a copy” of one of Mrs. Young’s publications; as well as a copy of a letter of a letter from Mrs. Young to the *Times*, marked, aggrievedly, “Not accepted for Publication.” Like most of these people she has only one idea in her head, but in her case it is a crude version of a complex of ideas which have a long and important history behind them. One of her beliefs is that there are two entities in the world called “Europe” and “The East,” which are dominated by irreconcilably different world views. Her “East,” though, is less a geographical region than a state of mind, and though she makes perfunctory attempts to suggest that what concerns her is some very abstract community of outlook in which not only Jews but Muslims, Buddhists, and the Chinese are complicit, they are so very perfunctory as to have no obvious function beyond that of deflecting the charge of anti-Semitism; which they hardly serve to do anyway, since she soon settles down to a tirade so unremitting in its abuse of Jews and Judaism as to leave little doubt in the reader’s mind as to her real target.

The main difference she sees between the outlook of “Europe” and that of, as she puts it, “‘Jewish Civilization’ (so termed by the Jew)” is that “Europe” has always believed in an “objective world” transcending “nature” and, correlatively, in politics as the domain of an “abstract man” who transcends the “natural man.” “Jewish Civilization” by contrast, is hopelessly mired in “subjective” conceptions of God and morality as inherent in the concrete particularity of persons and the world. The following passage, from a pamphlet entitled “EAST versus WEST: A Question of Contradictory World Views” puts the contrast, as

she sees it, in a nutshell. Nothing else in her packets adds much to the thought it expresses, and it will give an impression of her dreadful style.

As against the concrete world of Judaism, an objective world is concept-based, the outcome of creative reason transcending nature to be on a higher level—characteristic for both Western society and the Church—so that man in turn is an abstraction, a citizen, individual or communicant, superseding the natural man who counts as accidental. Focus is on the public realm with its breath of universality.

At first sight this seems both puzzlingly abstruse and puzzlingly misdirected. The loopings and lurchings of Mrs. Young's prose certainly manage to gesture towards a range of influences which have been important to the cultural genesis of Europe. There are vague echoes of Plato on the Forms, of St. Paul on the distinction between the natural and the spiritual man, of Hegel or Rousseau on the concept of the citizen. The trouble is, though, surely, that the "Europe" Mrs. Young wishes to put together, if only gesturally, out of these influences is so much smaller than the real, living Europe. And in that real, living Europe all the influences and traditions which go to make up Mrs. Young's shadow "Europe" are and have always been not only violently contested, but contested by opposing forces and traditions which cannot by any stretch of the imagination be regarded as Jewish in either origin or content. Although Karl Popper and Jacques Derrida come to mind as people who might possibly figure as Jewish opponents of the sort of "Europe" Mrs. Young has in mind (if that were to be specified a bit more clearly), so do Hobbes, Locke, Hume, Adam Smith, Ricardo, John Stuart Mill, Sterne, Fielding, Bertrand Russell, E. M. Forster, and so on, and so on, *goyim* to a man. And this should cause us no surprise. If the Europe of broad daylight has any assignable "essence," it is to be and to have been, more than any other recorded civilization, a perpetual cockpit of articulated dissent and of bloodshed across the ideological frontiers thus created: Nachmanides told no lie when he gave as one reason for concluding that the messianic age had not yet dawned that the Christians were more warlike than the adherents of any other religion.

This being so, one might be forgiven for not entirely seeing what Mrs. Young is driving at. A few pages on, however, comes a passage of peroration: a passage which, if one works out its implications, makes it a good deal easier to understand what is going on in the first passage I quoted.

The Jew's "spongelike capacity to absorb alien material" without this affecting his integrity, has come here into its own. While withdrawing itself into a closed system yet remaining open to outside stimuli, it has "woven itself into the various strains of civilization" to be ostensibly at one with us in our aspirations. Ignorance or deceit?

The passage throbs with the sort of horror one finds in B-movies about Aliens Among Us, about Normal American Small Towns being Taken Over by Interplanetary Invaders who are able to make themselves Indistinguishable

From Us. And yet if one looks at the phrase which bears the main weight of articulating these terrors, the opening one about the “spongelike capacity” to absorb alien material without this affecting one’s integrity, one notices something deeply fishy. Mrs. Young plainly takes this phrase to describe a special, indeed unique, capacity of Jews. In fact the process it describes is one which, as I suggested at the start of this essay, is fundamental to the formation of identity *per se*. We all become what we are, as we grow up, by “absorbing alien material.” And if we do not happen to be by nature confidence tricksters, or emotional chameleons, or chronic poseurs, we manage to do it without its “affecting our integrity.” The thought that a tradition can become, by responding to and embracing the new and alien, more richly itself is one which Eliot famously articulated in “Tradition and the Individual Talent”:

What happens when a new work of art is created is something that happens simultaneously to all the works of art which preceded it. The existing monuments form an ideal order among themselves, which is modified by the introduction of the new (the really new) work of art among them. The existing order is complete before the new work arrives; for order to persist after the supervention of novelty, the whole existing order must be, if ever so slightly, altered; and so the relations, proportions, values of each work of art towards the whole are readjusted; and this is conformity between the old and the new.³

What Eliot here says about the formation and growth of a cultural tradition can be applied *pari passu*, it seems to me, to the growth of the self. When one encounters and accepts a new idea or influence one fits it into the pre-existing structure of a self whose elements all shift slightly and recompose their order as a result, without that order ceasing to exhibit overwhelming continuity with what it was before the new influence came to bear. The positive aspect of the institutionalized cantankerousness of Europe, which largely accounts for the creativity of the European mind over many centuries, lies in the unparalleled wealth of opportunities it provides for such processes to work upon individual minds. One need only cross the twenty-two miles of Channel separating Dover from Calais, for instance, to find oneself in a world in which the most cherished shibboleths of British life, from prurient interest in the sex-lives of political figures to moral hectoring about diet or animal welfare, are not so much mocked or contested as absent, as if these solidly John-Bullish cultural presences had simply turned transparent, wavered like smoke and vanished into the blue air above the docks. Some English people loathe this, some love it. But loving it can, oddly enough, become a way of restoring the Englishness of England. To take a not entirely trivial example, the revival in English cooking since the War, the large number of rather good local farmhouse cheeses of British origin one can now buy, and so on, which has changed the country in ways which can also be seen as a restoration of something native that had been lost, stems from an admiration of French cuisine originally propagated by the post-War forays of such intrepid francophiles as Raymond Postgate or Elizabeth David. And in much deeper ways what we think of as national character can be seen as the product of such

encounters and assimilations. Voltaire's philosophical anglophilia is one key to the formation of a personality which has come to represent a canonical type of Frenchness. Kant, that most German of philosophers, was not merely enabled to renovate German philosophy only through the stimulus of Hume, who as he said "woke me from my dogmatic slumbers." The debt to Hume goes far deeper. Humian arguments, premises, and ways of thinking, utterly opposed as they might seem at first sight to be to both the spirit and the letter of Kant's conclusions, nevertheless turn out to be built irremovably into the foundations of the Critical Philosophy, in such a way that the whole edifice would collapse without their support. And on the other side of the Channel English literature in its formation, in Chaucer or Milton or Shakespeare, is a tissue of wonderfully transformed and reinterpreted alien influences from all of Europe and the ancient world. And these processes of absorption and transfiguration of the alien are impossible to bring to a halt. Everyone who lives long enough finds himself living, as many a Jew has done, in a different country from the one he was born in.

To some always, and to many in some moods, this apparently chaotic landscape, of individual minds and national identities forming themselves upon one another, and by absorbing alien influences becoming more and more strangely and dangerously themselves in ways unforeseen and unforeseeable either to patriotic sentiment or to the forces of social control, conveys a kind of horror. In such moods we are tempted to treat momentary conceptions of collective identity, national, political or religious, as absolute: to grant them the eternal self-identity which Aristotelianizing theology grants only to God. We set to work to translate whatever stereotypes we find reassuring to the plane of the "Ideal."

This, I think, gives the clue to what Mrs. Young is driving at in the first passage I quoted. She has in mind just that sort of idealizing stereotype of Europe. And although she wants to think, and does think, of this Ideal Europe as something eternal, something whose essence is laid up in an unchanging heaven, like one of Plato's Forms, she is terribly afraid that in the real world it is friable; as corruptible as all earthly things, and open to threat. Now, where would such a threat be coming from? It cannot, *ex hypothesi*, be coming from Europe, for how could something possessing the self-identity of the Ideal be at its own throat? In general, to political fantasists who wish to identify Europe with some constructed cardboard continent of their dreams, it must always come as a disturbing thing that their plans meet with such violent opposition within Europe. For, after all, Europe is one civilization, is it not, and the fantasist himself the best and most characteristic representative of that civilization?

There is an obvious way of squaring this circle. The dissent, the opposition to the manifest destiny of the continent and those to whom that destiny has been revealed, need only be understood not as coming from inside the dream "Europe" envisaged by political or religious triumphalism, but from outside; or rather from a conspiratorial source inside Europe but lacking a proper "European" identity. Where, now, could such a conspiracy be coming

from? Where but from the Jews, a people spread throughout Europe, a people displaying across centuries an obstinate disinclination to dissolve by assimilation into identity with their neighbors, a people professing a religion to a considerable extent untouched (I think Mrs. Young is right about this) by the tendency, characteristic both of ancient philosophy and of many kinds of Christian theology, to draw strong distinctions between the concrete world and various sorts of “higher,” “Ideal” realm, and thus offering an inherent challenge to notions of identity founded upon appeals to such realms; yet a people distinguished at the same time by a protean ability to assimilate to any degree short of the final abandonment of their threatening otherness. I think we are now fairly inside Mrs. Young’s mind. It turns out, if I am right about the structure and motivation of her anti-Semitism, to be a mind dominated by pathological fear of processes of encounter and assimilation characteristic not only of all healthy human individuals and societies, but of life itself.

6. Maintaining Collective Identity: Propagation vs. Objectification

The lure of locating one’s identity in Mrs. Young’s higher “objective” world, “superseding,” as she says, “the natural man who counts as accidental,” is plain enough. It is that by so doing one will become a being identified in nonaccidental terms; in terms which prescind entirely from casual encounters, friendships, and all the rest of the accidents which, as Laurence Sterne taught us long ago, go to make up an ordinary human life in the world. Instead of possessing a haphazard identity which owes as much to others as to oneself, one will know Who One Is in no uncertain terms. “*Civis Romanus sum*,” one will be able to say, or “I am a Pure Aryan,” or “I belong to the Vanguard of the Proletariat.” In opting for such avowals, one purchases for oneself a certain grandeur, a certain historical significance, even a certain portion of eternity. The danger one faces is that by doing so one will not so much stabilize one’s identity as exchange it for a more or less fictitious substitute.

No doubt Aristotle was right, and we are social animals. We want to possess the kind of identity that comes from membership in some collectivity. But, I want to say, there are two quite different ways in which collective identity can be established and maintained. On the one hand it can be maintained by what I shall call “propagation.” In any living community there are attitudes and customary modes of treatment and relationship which one member of the community can to a great extent anticipate and rely on receiving from other members of the community, merely by virtue of his or her membership. Of course such expectations can be disappointed: members of one’s own community can treat one badly in one way or another. But as long as disappointment remains the exception rather than the rule, the sense of collective identity continues to propagate itself. It propagates itself—hence the term—by way of relationship and response between individual and individual. Each time expectations of common standards of behavior are activated by one individual and receive confirmation in the response of

another, so does their shared sense of collective identity, which ripples constantly through the community along a multiplicity of networks generated by such interactions.

The other way in which collective identity can be established and maintained is by what I want to call "objectification." A collective identity sustained in this way connects individual members of the collectivity to one another only indirectly, by way of the relationship of adherence in which each stands to some abstract entity: Nation, Church, Class, Profession, Regiment, and so on. It is because the entity to which allegiance is owed as a condition of membership can thus be conceived as existing independently of any of the relations which happen to link individual members of the collectivity directly to one another, that we feel a temptation to construe such entities as "objective" in the ancient and hallowed sense introduced into Western philosophy by Plato. We think of them as untouched by, and in some dark sense "above," the multifarious contingencies of relationship which make up the daily life of the community (which begin to appear by contrast merely "subjective" or "accidental") but as nevertheless somehow informing or manifesting themselves in what would otherwise be merely a flux of contingencies, and by so doing making them cohere into the life of a collectivity.

All collectivities define and maintain their identities in both ways. But equally evidently the two modes are inherently in conflict with one another. Because objectification offers a way of ensuring social cohesion which allows people to a greater or lesser extent to do without the kinds of consideration which must constantly be shown by one individual to another if cohesion is to be achieved by propagation, the members of a collectivity held together primarily by objectification can, and often do, get away with behaving very badly indeed towards one another. I remember once hearing the British Labour politician Ken Livingstone interviewed on the radio. The Greater London Council was still in existence and Livingstone had been involved in some particularly neat little political coup which had resulted in prominent members of the Left no longer speaking to one another. In response to the interviewer's probings, Livingstone delivered himself of the view that hurt feelings are never more than a temporary embarrassment in politics. All those involved owed, after all, allegiance to Socialism, and no doubt in a few weeks the bruised spirits would find themselves in situations in which they had a political use for one another again, whereupon the doves of harmony would mysteriously begin to coo once more. No doubt he was right. And no doubt it doesn't matter too much in a society like England in which the sense of social cohesion is still largely sustained by what I have called propagation, and in which, in consequence, deeply felt restraints on how far one can go in abusing a fellow citizen are widely recognized and acted upon. But suppose those restraints were to dissolve. Suppose allegiance to "Socialism" or to some other ghostly "ideal" Objectivity came to figure as the sole or central source of social cohesion. . . . What then?

7. The End of Objectification

I hope it is beginning to become clear why I have seen fit to subject my readers to this lengthy and fairly polite analysis of what is, when it comes down to it, just a bundle of hate-mail. Mrs. Young is a revealing mouthpiece for historic forces much vaster, perhaps, than she comprehends. From, say, 1750, the drive to replace propagation with objectification as the cement of collectivities in Europe grows. The Unenlightened come to identify themselves more and more through their relationship to Nation and Church, the Enlightened through their relationship to Mankind in General conceived with Kant as the collectivity of beings capable of rational reflection about duty or with Bentham as the collectivity of beings capable of suffering pleasure or pain. The nineteenth-century drive towards National Unity vested in common allegiance to putatively Objective ideals of nationhood, ideals constructed in large part out of sentiment and historical fabrication, develops in our own century into a drive to refound the notion of collectivity in terms of the still more ghostly Objectivities of Class and Race. Throughout the period the sense that relationships between individual and individual are of little or no importance when set beside the needs of the dominating Objectivities which found collective identity finds more and more febrile expression, allowing, finally, Forster's ironic hope that he might possess the moral strength to betray his country rather than his friend to take on the resonances of blasphemy. Hardly surprisingly the restraints on conduct towards fellows essential to the maintenance of common identity by propagation grow steadily weaker: correspondingly the moral authority with which the leaders of society feel themselves vested in virtue of their status as the living representatives of the abstract Objectivities of Class or Nation or Race becomes more and more limitless in its power to justify atrocity under the banner of necessary sacrifice in the name of the Future.

We know now where this process leads: has led. It has led to terror-bombing, mass deportation, labor camps, the stigmatizing and extermination by nations of whole categories of their own citizens: to Holocaust. And it has left many of us Europeans not only divested of the grandly Ideal identities, hoisted above the flux of contingency, which Objectification promised, but without very much of an identity at all. For the ideal Objectivities touted by the politics of the modern era are epistemically fragile. Their power depends on the strength of belief we invest in them. And suppose we cease to be able to believe in them? Suppose Class comes to seem a Marxist fantasy, the Churchillian vision of Britain in which Margaret Thatcher is said to have believed a schoolgirl fantasy, British Socialism a tissue of ill-disguised contradictions patched together with shabby political maneuvering? What have we left? How are we to find our way back from an identity dangerously over-reliant on objectification to one based to some reasonable extent on propagation? How are we to patch together the relationships we rent and tore apart so gaily, as a trivial enough sacrifice to Nation or Proletariat when these sagging pasteboard constructions seemed real and inspiring to us? Who exactly are we now? This is no doubt a question particularly anguishing to East Europeans of

a certain age as they face the revelations of public virtue and private betrayal now emerging from the opened files of their secret services. But it is one many of us face in one way or another. We stand, perhaps, in Europe, at the end of the era of Objective Ideals. And no doubt it is a sufficient condemnation of Mrs. Young and her writings that she would like that era to continue.

8. Idolatry, Relationship, and the Law

The train of thoughts we have been following may perhaps shed some light, too, on the rather more personal problems about identity from which I started out. I confess that I started writing this essay in the hope of fathoming some things I found puzzling in my own reactions. Why should I have felt so summoned, if I can put it that way, by that guide in Jerusalem who took me for a Jew? My reaction was very strong, and the whole episode, in that highly charged air of Jerusalem, which frightens so many people into fits of religious hysteria, had an air of Magic Realism about it: it was as if he was really the Baal Shem Tov or the prophet Elijah, or something of the sort: as if next morning people would say, we know no such guide, there was no tour scheduled for that time, look, the space of the advertisement you thought you saw in the *Jerusalem Post* is blank, and so forth. Why should I have felt that something further was demanded of me than simple disavowal: "No, actually, I'm not Jewish; thank you, good morning"? And why should I feel, as a matter of fact I do, so reached, so addressed by the Holocaust when as a matter of fact I am not a Jew, and when the Holocaust, terrible as it was, is already beginning to recede into history even in the consciousness of Jews?

For a long time I resisted writing about it because it seemed to me very unlikely that a non-Jew could succeed in writing about such matters without risking an appearance of moral self-congratulation of a kind odious in itself and abominable when paraded in connection with the Holocaust. But the topic refused to go away: the encounter in the cafe kept coming back to me, tugging away at my sleeve. So in the end I decided to take that risk and the hell with it.

Now that I have got this far with it, though, it is beginning to appear that the role assigned to me may not, after all, be that of the Friend of the Jews—a role for which my qualifications, anyway, amount *in toto* to one signature on a list of protesting intellectuals in the early 1980s and the sum of seven shillings and sixpence donated in half-crowns to the JNF around 1950, in the days when I still half-imagined myself actually to be Jewish, by self-election, anyway—but rather that of the Ancient Mariner. What the figure of the guide seems to be have been saying to me all this while is simply: "Tell your story." And what the story seems to be about is not what I have done for the Jews (which is precious little), but what the Jews have done for me. And I am beginning to think that the reason I have felt so powerfully impelled to take up other people's time by telling it is that, like Mrs. Young's lucubrations, it may have connections with much vaster aspects of the mind and recent history of Europe.

I am not sure that I comprehend these connections much better than Mrs. Young. But if I had to summarize what I think I am saying, it would go

something like this. There is one respect in which Mrs. Young is actually right. Jewishness, the whole spirit of Judaism, is in certain deep ways skew to, opposed to, certain tendencies in the historical culture of Europe. But the tendencies Judaism resists have shown themselves to be disastrous tendencies, which lead consistently into darkness; and Jewish resistance to them, to final assimilation and acceptance of everything, including those tendencies, has shown itself, despite the disasters it has brought in its train, to be both deeply wise and deeply honorable. For that reason, and for many others accumulated over a lifetime of Jewish friendships, I am inclined to think, contrary to Mrs. Young and her like, that few better things could happen to us as a culture, than that our collective identity should become a little more tinged than it is with Jewish ways of seeing things, and of responding to one another.

The Blood Libel, I want to say, is truer of almost anybody else than it is of Jews. Jews in fact have a very long tradition of not sacrificing babies to Moloch. They do not make idols, and in particular they do not make idols of the collectivity: the Race, the Church, the Class, the Nation. They take relationship between one individual and another, as they take the maintenance of expectations and of common standards of behavior between individuals, more seriously than most of us do. The shares they allot to what I have called propagation over against what I have called objectification in defining and maintaining collective identity are overwhelmingly weighted towards the former. If Europe is really to turn its back on the political idolatry of the first half of the century, and to resist those who would like even now to re-erect those particular Golden Calves, then I think we might all profitably address ourselves to the question of how Judaism manages, for the most part, to maintain those features of its ethos.

My own pleasure in Jewish company began, as I said earlier, at a time in my life when I felt, to put it bluntly, that my father cared more for his relationship with the Church than he did for his relationship with me. I think now that that is a way of putting the matter grossly unfair to him, but that is more or less how it seemed to me at the time. There seemed always to lie between us some abstract, alien Thing, belonging putatively to another world and disrupting a natural, human relationship in this one.

Over the Harris household, despite the rather orthodox and observant attitude to religion prevalent in it, there seemed to loom, on the other hand, no such spectral, putatively otherworldly presence. Judaism, after all, is not a particularly otherworldly religion. There is, in a certain sense, no Fall in Judaism, or to put it more precisely, the taking of the apple does not have the same significance for Judaism that it has for Christianity. Neither man nor the world is, therefore, in a Christian sense, "fallen." There is thus no historic drama of redemption either: the *Moishiach*, the Jewish Messiah, has a role subtly skew to the role of ours: he is not, for one thing, God. The familiar myth of a tripartite history of innocence, fall, and re-ascent to a transfigured version of innocence, which passes from Julian of Flora to Vico, to Rousseau and on to

Hegel and Marx, has no basis in Judaism. History has a divine meaning, but it is a meaning of a very different sort. It is the history of a somewhat haphazard series of attempts by God to get His creatures to behave like human beings; a series punctuated by explosions of divine wrath followed by a new start. The Mosaic covenant represents such a new start.

The world is thus not an essentially flawed place which we should, ideally, reject and strive to put behind us. It is simply the place in which the endeavor to live humanly, in accordance with God's wishes, is played out. It, and our embodiment, are not viewed as constituting a sort of decaying screen, like the seamed and fissured wall of Plato's cave, on which is played out a shadowy representation of dramas going on in the Real (or "Objective") World. They *are* the real world. The aim of the good, very paradoxically for some versions of Christianity, is not to depart from the world but rather to sustain it about them. The *Pirkei-Avot*, for instance, repeatedly characterizes evil as that which by its nature severs one from the world.

The "world" from which evil severs one in this vision of things is not, of course, the natural world but the human world. Nothing could be further from Judaism than the Enlightenment program of founding the moral order either in Nature, in the manner of Mandeville or Hume, or in Reason, conceived as a sort of superior, transcendent Nature, in the manner of Rousseau, Kant, or Hegel. Certainly the natural world becomes human through being informed by the spirit of God. But though in that enterprise God may act through individual holy men, prophets and sages, His influence does not operate by way of instilling in such a man a special and morally validating state of consciousness. It operates by instilling in him a better understanding of God's primary instrument for transforming the natural into the human world, namely, the Law.

The Law-based character of Judaism makes a great difference to the account it offers of the relationship between the world and the divine. The link between the human and the divine becomes, for one thing, public rather than private. The good Jew cannot say, for example, with St. Augustine, "Love God and do what thou wilt," because the notion of loving God, of being in contact with God at all, makes sense only in the context of the Law. The exploration of the Law is, in effect, the exploration of the mind of God: hence the joy and pleasure the pious Jew finds in the Law and in making new discoveries concerning the riches which lie hidden in it. That joy is the love of God, and it can only be had through the Law. The Law is the instrument by which God has chosen to illuminate the darkness of our nature and to transform it into humanity.

It is, I think, the combination of the conception of the natural world as the morally neutral theater of human life with the conception of Law as the link between the human and the divine which gives Judaism both its curiously down-to-earth, unotherworldly character as a religion and the rather attractive epistemic modesty I mentioned earlier. If one thinks of the world as worthless or meaningless in itself, as something given worth or meaning only by the intervention of the divine, or of Reason, then the world, while it may be thought

of as the source of practical obstacles to the implementation of whatever one takes to be the manifestation of either, cannot be thought of as a source of moral objections to that implementation. On such a view the Ideal, the Objective, necessarily rides roughshod over the concrete, the material, the subjective or the merely human.

Non-Jews commonly think of Judaism as a “legalistic” religion, characterized by obsessive respect for pettifogging religious regulations. But Law, by its nature, demands interpretation to make it applicable to the concrete case. And the process of interpretation thus necessarily has to give voice to moral considerations arising from the circumstance of the concrete case. In this process the preservation of relationship between individuals can acquire a power to condition the mechanical application of the Law which in our time it has often not been able to exercise against the equally mechanical inroads of the Ideal. The notion of divine intervention as operating through a Law whose observance founds and maintains the human world thus preserves a tension between the divine and the world which both keeps the relationship alive and opens it to change and development.

One obvious case which comes to mind is the principle that the observance of any law, including the most binding laws of Shabbat, takes second place to saving a life. But there is a way of thinking and acting here which affects the daily practice of religious Jews in trivial but often charming ways. I was once at dinner on Shabbat in Israel at the house of a very nice and rather observant couple. At the end of the evening my wife tried to call a taxi, but the person at the other end of the phone refused to speak English. Of course our host was not at liberty to use the phone himself. But there was my wife, a sort of shabbes goya, holding the instrument conveniently in mid-air—what was to stop him meditating on the subject of taxis in general and this taxi in particular? Which he did, with the result that a taxi ultimately arrived. Many people, including many Jews, would, I suppose, see this as a piece of comically Pharisaical hypocrisy. They would see it as “evading the issue,” the issue being whether it is (“really,” “truly”) wrong to use the telephone on the Sabbath. But this response precisely exemplifies the weightlessness of so much of our everyday moral thinking. It implicitly construes the Law as a further variety of Ideal Realm. In the Realm of the Law, it presumes, telephone-use on the Sabbath is either wrong or not wrong. If the former the good Jew should accept the fact whatever inconvenience it may cause him or his guests and not shilly-shally in this feeble way (liberal Anglicans, of course, get the same treatment). But we are the ones shown up by this response, for it betrays a complete misunderstanding of the nature of law in general and the Jewish Law in particular. The Law says nothing about telephones. It says something about keeping the day holy. In getting it to say something about telephones we have already had to apply it. It still says nothing about telephones held in the air by goyas who are also guests. Into this silence of the Law my friend inserted a little decision of his own which preserved both the spirit of the Law and the

requirements of hospitality. I found the ingenuity of his behavior touching, but also more than that. It seemed to me to exemplify the account of the proper relationship between tradition and the new which Eliot offers in “Tradition and the Individual Talent,” which I have been arguing should also characterize the relationship between identity in general and the Other. The Law in Judaism, contrary to St. Paul, is not a dead letter but a living thing precisely because of its capacity to draw changing circumstances into its structures, while remaining faithful to its founding deliverances, in a way which has traditionally rested upon dialogue between world and Law.

A case in point: in the middle of a section concerned with cataloguing all the possible ways in which offerings of a certain sort can suffer defilement, the *Mishnah* turns to consider a parallel case.

So, too, if gentiles said to many women, “Give us one from among you that we may defile her, and if not we will defile you all,” let them defile them all, but let them not betray to them one soul from Israel. (*Mishnah*, Terumoth 8:11)

To the Rabbis who codified customary law in the *Mishnah* there were, it seems, worse things than ritual defilement, and the betrayal of human solidarity was one of them. The Law, in other words, is the light of the human world, not something which tramples through that world demanding the betrayal of every one of its constituting relationships, as the Ideal has so often done in our time.

A final instance of Jewish fidelity to the demands of relationship came to me in a story I heard twenty years ago from the wife of a German couple we met casually in Spain. Her mother, then a widow, had, in the thirties, a Jewish friend who also had small children. When it became clear that it was becoming dangerous to know Jews, the Jewish woman advised her friend to have nothing more to do with her; and when she resisted this advice, told her that she had a duty to her children to take it. She, the non-Jew, took it, and her children survived, although the one who told us of the episode was still deeply troubled by it. It is a story which makes a striking contrast with the treatment meted out to Jews by a society in the process of redefining its identity in a very different sort of way, by idolatry. Standing as it does under the impending darkness of the Holocaust, it cuts to the heart of the story I have been trying to tell.

NOTES

1. An earlier draft of this essay profited from comments by Dorothy Harrison, Gabriel Josipovici, Sacha Rabinovitch, and Leona Toker.
2. Mark Mazower, “After Lemkin: Genocide, the Holocaust and History”; Mark Levene, “The Holocaust: After Rwanda”; both in *The Jewish Quarterly* (Jewish Literary Trust, London), vol. 41 no. 4, Winter 1994 (Special Issue: Auschwitz 50 Years After).
3. T. S. Eliot, *The Sacred Wood* (London: Methuen, 1920), pp. 49–50.

Natural Law and Judaism: The Case of Maimonides

MILTON R. KONVITZ

IS THERE NATURAL LAW IN JUDAISM? LEO STRAUSS HAS given a partial answer to this question by saying that

Where there is no philosophy, there is no knowledge of natural right as such. The Old Testament, whose basic premise may be said to be the implicit rejection of philosophy, does not know "nature": the Hebrew term for "nature" is unknown to the Hebrew Bible. It goes without saying that "heaven and earth," for example, is not the same thing as "nature." There is, then, no knowledge of natural right as such in the Old Testament. The discovery of nature necessarily precedes the discovery of natural right. Philosophy is older than political philosophy.¹

This passage bristles with problems. First, let us admit that the term "natural right" does not appear in the Hebrew Scriptures; that is, not as such. But just as one could have been speaking prose for forty years without knowing it,² so, too, the Bible can contain Natural Law (or Natural Right) without explicitly avowing the theory or conception. The Hebrew Scriptures does not identify erotic or romantic love "as such," *eo nomine*, but can one argue that it is missing from the Song of Songs? Furthermore, as we shall note in the passages from Cicero and Grotius, Natural Law is not dependent upon philosophy, nor upon a philosophy of nature, but upon the *nature of man*. It is based upon a belief that the *nature of man* necessarily involves certain *natural laws*. The theory does not involve general nature, a philosophy of nature, but only Man, the nature of man. Let me quote the passage from Cicero:

No single thing is so like another, so exactly its counterpart, as all of us are to one another. . . . And so, however we may define man, a single definition will apply to all. . . .³

And what is the "single definition" that is applicable to all men? Every man has "right reason"—every man has intelligence, rationality; every man has reason and can be reasoned with:

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For those creatures who have received the gift of reason from Nature have also received right reason, . . .

And if every man has reason and can be reasoned with (right reason),

. . . therefore they have also received the gift of Law, which is right reason applied to command and prohibition.⁴

The background for Strauss's strange statement is his belief that men cannot live without knowledge of the good to guide them individually or collectively; and this knowledge can be had either by "the unaided efforts of their natural powers" or by "Divine Revelation." Strauss puts these alternatives as stark, separate choices; there is no overlap, no middle ground: "No alternative is more fundamental than this: human guidance or divine guidance." Human guidance is characteristic of philosophy, divine guidance is presented by the Bible.

The dilemma cannot be evaded by any harmonization or synthesis. For both philosophy and the Bible proclaim something as the one thing needful, as the only thing that ultimately counts, and the one thing needful proclaimed by the Bible is the opposite of that proclaimed by philosophy: a life of obedient love versus a life of free insight.⁵

This is a fine example of the either/or logic. Things are either black or white; there are no shades of color. Strauss falsifies both religion and philosophy, and thus provides a perverted view of Natural Law. He does not consider the possibility that "free insight" could lead to "obedient love."

Even a cursory examination of the history of Greek philosophy would show the complex and intimate relation of philosophy and religion. Greek philosophy began in religion, and Greek philosophy, as in Plato and Aristotle, ended in religion. From a concern with external nature the ancient philosophers moved to a concern with the nature of man, to psychology, logic, politics, ethics, epistemology. They discovered the soul, added the dimension of spirituality to the nature of man, and projected immortality for the soul. The philosophical thought of the Platonists, the Pythagoreans, of the schools of Parmenides and of Heraclitus cannot be discussed without focusing on their religious perspectives. And as much can be said even of leading twentieth century philosophers: Samuel Alexander, Henri Bergson, Alfred North Whitehead, William James, Josiah Royce, George Santayana, John Ellis McTaggart, F. H. Bradley, Bernard Bosanquet, Thomas Hill Green. All were concerned with the nature of man; all, in one way or another, were concerned with the spiritual nature of man; all were, in one measure or another, concerned with religion.

Let us return to what Cicero says about the definition of Man:

No single thing is so like another, so exactly its counterpart, as all of us are to one another. . . . And so, however we may define man, a single definition will apply to all. . . .

What does the Bible say about Man? How is Man defined?

And God said: "Let us make man in our image, after our likeness; . . ." And God created man in His own image, in the image of God created He him; male and female created He them.⁶

And then, after the Flood, God addressed Noah and his sons and said to them:

. . . and at the hand of man, even at the hand of every man's brother, will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made He man.⁷

As interpreted by classical Jewish commentators, the Hebrew Bible defines Man as sharing in the divine character. As Judaism is a religion of ethical monotheism, so Man has the gift of choosing between good and evil (the blessing and the curse). As God is in some sense a Person, so Man, too, is a person, a thou and not an it. As God acts in accordance with Reason, so Man is capable of acting according to reason, according to "right reason." Because Man is an ethical person and can act in accord with right reason, he was given dominion "over all the earth"; no other creature could be entrusted with such power. Mind and spirit will rule over matter.

From God's address and revelation to Noah and his sons, the Talmud deduced what the rabbis called the Seven Commandments to Noah and his Descendants: a positive commandment, to establish courts of justice, and six negative commandments: prohibitions on blasphemy, adultery (or incest), idolatry, murder, robbery, and eating flesh cut from a living animal.⁸ These seven commandments are said to constitute the essentials of Natural Religion.⁹ These commandments are binding on all men, Jews and non-Jews alike. Observance of them by a non-Jew qualifies him to be called a righteous gentile. Do these Noahide Laws constitute a recognition of Natural Law in Judaism? As we have seen, Professor Strauss would deny this claim; so does Professor Marvin Fox, as we shall see later. But I see no reason for accepting their view. These laws no doubt have as their root the belief that Man *qua* man made in the image of God, having a nature that partakes of divinity, must be subject to these commandments or laws. The fact that these laws are said to emanate from God does not deprive them of their rational ground. Antigone did not say to Creon that her right to bury the body of her brother is grounded in reason. She cried out that Creon's order was not made by Zeus, that it violated "the gods' unwritten and unfailing laws." And Cicero asserted that true law is valid for all nations and for all times, "and there will be one master and one ruler, and that is God, over us all, for He is the author of this law, its promulgator, and its enforcing judge."

And Grotius stated that the law of nature, being a dictate of right reason, makes an act either forbidden or enjoined "by the author of nature, God." The line of argument is straight: What reason demands, God demands; or in more biblical phrasing, What God demands, reason demands. (God may demand

more of Jews, but our focus here is on what God demands of Man, what He commands or prohibits for all mankind.)

In *Mishneh Torah*, Maimonides restates the Talmudic law with respect to the Noahide Laws, as follows:

A heathen who accepts the seven commandments and observes them scrupulously is a “righteous heathen,” and will have a portion in the world to come, provided that he accepts them and performs them because the Holy One, blessed be He, commanded them in the Law and made known through Moses our Teacher that the observance thereof had been enjoined upon the descendants of Noah even before the Law was given [at Sinai]. But if his observance thereof is based upon a reasoned conclusion he is not deemed a resident alien, or one of the pious of the Gentiles, but one of their wise men.¹⁰

2. I find it difficult to accept the proviso that Maimonides has read into the Talmudic statement. For Maimonides gives with one hand and takes back with the other. If the non-Jew is to fulfill the condition—if, for example, he is to refrain from adultery (or incest), not because of a “reasoned conclusion” that such an act is evil, but only because it was prohibited by the Torah as made known to Moses and enjoined upon Noah and his descendants—it seems to me he would essentially be a Jew and not a gentile. It would not satisfy the Maimonidean proviso if the gentile merely believed that it was sinful, that it would be a violation of a divine law (like Antigone, or Cicero, or Grotius); but no, he must refrain from the act because it was enjoined in the Torah as given to Moses. I find this an insupportable condition and contrary to the spirit of the Bible and of Judaism.

It must never be forgotten that the first man was Adam, the first woman was Eve. They, and not Abraham and Sarah, are said to be the progenitors of humanity. It was they, Adam and Eve, who were made by God in His own image. Nowhere in the Bible is it stated or intimated that by choosing Israel, God abandoned the rest of mankind. For God is not a tribal deity, He is the creator of the whole universe. He is *echod*, the one and only God, not only for Israel, but for all nations, all peoples.

Noah was a righteous man. He lived hundreds, perhaps thousands of years before Moses. Did he avoid doing evil and observe all the commandments (or at least the seven specially marked as the Noahide Commandments) only because God “commanded them in the Law and made known through Moses our teacher that the observance thereof had been enjoined upon the descendants of Noah even before the Law was given [at Sinai]”? Without having this impossible thought in mind, Noah could not be a “righteous heathen”!

The Bible makes many references to righteous heathens. For example, when pharaoh ordered the midwives to kill all male children born to Hebrew women, “the midwives feared God and did not as the king of Egypt commanded them, but saved the men-children alive.”¹¹ The midwives listened to the voice of conscience, “they feared God.” Are we to deny them the distinction

of being righteous heathens? In Leviticus we read: “Ye shall therefore keep My statutes, and Mine ordinances, which if a man do, he shall live by them: I am the Lord.”¹² Commenting on this passage, according to the Talmud, Rabbi Meier was accustomed to say: “Whence do we know that even a heathen, if he obeys the law of God, will thereby attain to the same spiritual communion as the High Priest? Scripture says, ‘which if a man do, he shall live by them’—not priest, Levite, or Israelite, but *man*.”¹³

Professor Fox, in an essay on “Maimonides and Aquinas on Natural Law,”¹⁴ agrees with Strauss and argues the case against the proposition that there is a theory of Natural Law in Judaism, and especially that there is no Natural Law in the Bible. He recognizes the fact that in postbiblical rabbinic texts there are some statements that have been interpreted as teaching that there is a conception of Natural Law; but these statements, says Fox, should be properly interpreted as maintaining “the classical biblical teaching that divine commandment is the only ultimate source of law. Even positive human legislation is seen as legitimate and binding only insofar as it is an application or extension of rules or principles set forth in the divinely revealed law.”¹⁵

Professor Fox quotes from the Talmud the following passage:

“Mine ordinances shall you do” (Lev. 18:4), i.e., such commandments which, if they were not written [in Scripture], they should by right have been written, and these are they: [the laws concerning] idolatry, sexual immorality, bloodshed, robbery, and blasphemy.¹⁶

Fox, commenting on this passage, says that there is nothing in it to suggest that human reason by itself could have known that these acts are evil. He does not note that these are five of the Noahide Laws. They are known and respected by pagans. How did they get to know them? They were not at Sinai. If pagans could know them by “right reason,” why cannot Israelites? Why should Israelites be unable to arrive at such laws by “right reason”? This, it is submitted, is the plain meaning of the Talmudic passage. Why should it be subjected to a strained—yes, unreasonable—meaning?

Moreover, since they are Noahide Laws, their context is non-Jewish. Jews have the Torah which contains these commandments. The Talmud in effect says that if Jews did not have the Torah, they could have arrived at these commandments in the way that gentiles arrive at them, that is, by “right reason.”

One might agree with Fox that Jews should consider themselves bound by these commandments, not because “right reason” dictates them, but because they have been ordained by God; but this concession does not, I submit, compel the denial “that human reason could have known by itself that these acts are evil.”

In the Amidah, that is recited three times each weekday, there is the following prayer:

You graciously endow man with wisdom, and teach insight to a frail mortal.
Endow us graciously from Yourself with wisdom, insight, discernment. Blessed
are You, Hashem, gracious Giver of wisdom.¹⁷

The Hebrew words used are *daat*, *binah*, and *haskel*, that may be better translated as knowledge, understanding, and discernment.¹⁸ When a Jew arrives at the commandments by “right reason,” by the use of his God-given gift of reason, he knows that he ought to thank the Giver-of-Reason for arriving at right understanding and wisdom. As we have seen, this is exactly what was said by Antigone, by Cicero, and by Grotius. Even for the pagan, Natural Law need not be atheistic; its ultimate ground can be a firm belief in God as the source of wisdom—and of law.

The Bible says, “I am the Lord that healeth thee.”¹⁹ This has not kept Jews from cultivating medicine and surgery as a profession, nor has the belief that God is the healer kept Jews from consulting physicians, nor pious, saintly rabbis from becoming physicians—for example, Maimonides, Judah Halevi; before them, in the Talmudic period, Rabbi Ishmael, Rabbi Hanina ben Dosa, Samuel ben Abba ha-Kohen. However, all believed—both doctors and patients—that healing was in the hands of God, but physicians are His instruments. By the same reasoning, one can say that wisdom is in the hands of God, but wise men and women are His instruments. Just as one may use “right medicine,” so, too, one may use “right reason.” God is not displaced by such service; instead, God’s purposes are fulfilled by such instruments.

Christianity asserts that “God gave us eternal life, and [that] this life is in his Son. He who has the Son has life; he who has not the Son has not life.”²⁰ Does Judaism make the same claim for Moses? Does Judaism proclaim that eternal life is possible only through Moses; that he who has the Mosaic faith has life, and that he who has not this faith has not life? Christianity asserts that the gate is narrow, and that only few can enter.²¹ But this is the teaching of Judaism:

Rabbi Jeremiah said: Whence can you know that a Gentile who practices the Law is equal to the High Priest? Because it says, “Which if a *man* do, he shall live through them.” And it says, “This is the Law [Torah] of man.” It does not say, “The Law of Priests, Levites, Israelites,” but, “This is the Law of man, O Lord God.” And it does not say, “Open the gates, and let the Priests and Levites and Israel enter,” but it says, “Open the gates that a righteous Gentile may enter;” and it says, “This is the gate of the Lord, the righteous shall enter it.” It does not say, “The Priests and the Levites and Israel shall enter it,” but it says, “The righteous shall enter it.” . . . So even a Gentile, if he practices the Law, is equal to the High Priest.²²

Isadore Twersky, in his magisterial *Introduction to the Code of Maimonides (Mishneh Torah)* states that Maimonides does not operate with a concept of Natural Law. (As we have seen, this is, indeed, the case.) According to Maimonides intellect is a tool for uncovering “the congruence between reason and revelation and the ultimate meaning of divine laws . . . the religious

philosopher operates on the assumption that the Torah—that is, moral-ritual law created by God—is rational and intelligible.”²³

This, however, does not address the problem of the righteous gentile. Can *he* use his intellect to arrive at the “right reason” for the Noahide Laws? Would that suffice or must he justify his observance of these laws by avowing his belief that they were enjoined by God’s revelation to Moses? These questions are not addressed, but, it seems to me, they loom large as one reads Maimonides and is perplexed by what he says.

Haim Cohn, former Justice of the Israel Supreme Court, a leading jurist and authority on Jewish law, in an essay on “Authority and Reason in Ancient Jewish Law,” considers the question of the source of the Oral Law when no Scriptural text and no tradition or custom or judicial precedent is available. In such a case, recourse is to “independent reasoning (*Sevara*).” The sages, Cohn writes, classified such laws within the Oral Law; “but as a matter of fact and tradition, they were actually classified as Written Law, as if they emanated not from delegated but from direct divine authority.” Cohn does not approve the variety of rabbinic rationalizations. He writes:

The true explanation seems to me to be . . . : it is God who has imbued human beings with reason and has written it “on our hearts in broad and indelible characters”; and as the human capacity of reasoning is divine and godsent, so is the use of this capacity an exercise of divinely bestowed power, and its normative result a divine law. Or, in more typically Jewish jurisprudential terms, as the revealed word of God established divine law, so must the divine will be inferred from and reflected by God’s deed and creation, including the human mind and its reasoning capacity. It is the very same idea which underlies Spinoza’s concept of *lex divina naturalis*.²⁴

As I interpret this passage, Cohn asserts that, despite appearances and legal or jurisprudential fictions, the ancient rabbis did in fact operate within a theory of Natural Law, as the theory has come down to us from the Stoic philosophers, through Grotius, Scholastic thinkers, Richard Hooker, and Spinoza.

In another essay, “Legal Change in an Unchangeable Law: the Talmudic Pattern,” Justice Cohn discusses briefly the passage from Maimonides that we have been considering. “It has been said,” writes Cohn, citing Leo Strauss,

that the Old Testament had no knowledge of any “natural law” or “natural right.” No divine revelation can possibly be invalidated by any “superior” law; nor can any law, however “superior,” serve as model for the divine will. The Oral Law, like the Written, is a form of positive law; and since it, likewise, is held to be divine, no unwritten “natural law” can ever transcend the Oral Law, either. The rejection of all natural law concepts is vividly demonstrated by a dictum of Maimonides to the effect that a Gentile who observes the Noahide laws has a portion in the world to come, and is reckoned as one of the righteous of the nations, provided that he accepted these laws as binding upon him *because* they were divinely ordained; but that if he observes them because of his own conclusions based on reason or compassion, he is not deemed either righteous or wise. At the same time the talmudical jurists, too, distinguished

between laws which, if they had not been expressly laid down, would have had to be observed in any event according to the common standards of mankind (such as the prohibitions of homicide, idolatry, larceny and incest), and laws which had to be laid down for the suppression of natural human urges . . . and which nobody would observe were it not for their enactment as positive law (such as dietary and purity laws). But the easily understandable reasons underlying the former laws are as irrelevant for their validity as is the ostensible lack of reason distinguishing the latter: all of them are expressions of God's unfathomable will.²⁵

Our concern is not with the question whether the ancient authorities recognized the possibility of a claim that there is a Higher Law than the Torah—of course such a claim is inconceivable within the realm of traditional Halacha. Our concern is with the question when does a gentile become a righteous gentile, entitled to a place in the world to come. Justice Cohn does not focus on this question, but it should be noted that in stating what the rabbis required of the gentile he leaves out the proviso that the gentile must believe that the Noahide Laws were not only commanded by God, but that, in addition, he performs these commandments because God commanded them in the Torah and made them known to Moses: “that the observance thereof had been enjoined upon the descendants of Noah even before the Law was given [at Sinai].” The proviso that has been omitted is the troublesome condition. For if one takes the proviso seriously, one can then question if Judaism seriously takes the statement that there is a common humanity, that every man and every woman is made in the image of God, *betzelem Elokhim*. The proviso must raise the question—does Judaism allow for salvation, for immortality only for those of the Mosaic faith? For, as we have noted, Natural Law is based on the belief that there is a common human nature, that there is a common humanity, that all men participate in “right reason,” under God (not under Moses!). Perhaps Justice Cohn, a staunch advocate of Human Rights, purposely left out the proviso as a necessary emendation of the Maimonidean statement?—as if to say that the great codifier of Jewish law could not possibly have meant seriously what he said, or that perhaps a scribe overzealously injected the proviso as a “fence” against a liberal application of the Noahide Laws and the honorific title of “righteous gentile”?

Apart from other serious questions that we have noted concerning the proviso, it should be obvious to persons familiar with Christian dogma that the proviso injected by Maimonides into the doctrine of the Noahide Laws looks disturbingly very much like justification by faith. To the Christian, it is through faith—especially in the death and resurrection of Jesus—that he separates himself from Judaism. In his Letter to the Galatians (Jewish converts), Paul wrote:

Now, before faith came, we were confined under the law [of Judaism], kept under restraint until faith [in Christ] should be revealed. So that the law was our

custodian until Christ came, that we might be justified by faith. But now that faith has come, we are no longer under a custodian; for in Christ Jesus we are all sons of God, through faith. . . . There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; for you are all one in Christ Jesus. And if you are Christ's, then you are Abraham's offspring, heirs according to promise.²⁶

The dogma of justification by faith is in sharp contrast to Jewish belief. "With what shall I come before the Lord," the prophet Micah asks, "and bow myself before God on high?" He answers the question with a resounding affirmation of the ethical nature of Jewish monotheism:

He has showed you, O man, what is good;
and what does the Lord require of you
but to do justice, and to love kindness,
and to walk humbly with your God.²⁷

Unlike Christianity, the emphasis in Judaism is not on faith but on "works," on righteousness, on justice—*zedek*, *mishpot*. How did Amos say it?—

Take thou away from Me the noise
of thy songs;
And let Me not hear the melody of
thy psalteries.
But let justice well up as waters,
And righteousness as a mighty stream.²⁸

The Seven Commandments to Noah are consistent with the ethical essence of Judaism. There is the one positive commandment, to establish courts of justice. There is no positive commandment to believe in any dogma. There are two negative commandments that today we would say fall into the realm of religion, namely, a prohibition on idolatry and a prohibition on blasphemy. But they are prohibitions, they are negatives. The heathen, to be a righteous heathen, is not commanded to make any confession of faith. The other four commandments are strictly ethical, namely, prohibitions on immorality, murder, robbery, and cruelty to animals. Taken at their face value as stated in the Talmud, they eminently qualify as a statement of Natural Law in its pure, classical sense.

Philo, a contemporary of Jesus, was probably the first Jew to have formulated articles of faith.²⁹ With regard to Philo's five principles of Judaism, Rabbi Louis Jacobs has noted that Philo acted to formulate them because he felt that these principles were denied in his day and it was necessary to combat their denial. "This was to happen again and again in the history of Jewish Creed formulation. It was never a question of examining the classical sources of Judaism in an objective manner in order to discover the basic principles of

Judaism. This would have been an almost impossible task since the biblical sources are neither speculative nor systematic but organic and dynamic. It was rather a question of emphasizing the ideas and beliefs that were required to be stressed as principles of faith in a given age, because it was in these areas that the challenge to the Jewish spirit was felt to be acute. In reality this is only another way of saying that dogmas in the Catholic sense, for instance, are impossible in Judaism because Judaism has no Church, no central authority with the power to formulate beliefs.”³⁰

Maimonides in the twelfth century formulated his “Thirteen Articles of Faith” that have become the most famous creedal formulation. His statement that accompanied the formulation was a caveat that a person who held to these beliefs should be loved with affection and brotherly sympathy—even if he be guilty of every possible transgression through his desires and lack of self-control. He will be punished according to the measure of his perversity but he will none the less enjoy a portion in the world to come. However, if a man breaks away from any of the fundamental principles of belief, then he loses his membership in the body of Israel; he is a heretic who should be hated and extirpated.

Maimonides thus made correct faith supreme over all other aspects of Judaism and Jewish life. “The believing sinner is included in ‘the general body of Israel.’ The unbeliever [though a righteous and just person] is excluded.”³¹ This, I submit, is a nonbiblical position. I hazard the thought that Maimonides was driven to take this position by his rationalist approach, his great power of conceptualization, and perhaps also by his fear that the danger of apostasy to Islam or Christianity was so great and imminent that a strong and unusual measure had to be taken. Since Islam and Christianity emphasized creedal faith, there had to be, to meet the emergency, a formulation of Jewish creedal beliefs

When considered against this background, the proviso injected by Maimonides into the formulation of the Seven Commandments to Noah is consistent with Maimonides’s philosophy of Judaism: It is not enough for a gentile to be righteous in order to merit a place in the world to come—he also must have the right belief as the foundation for his righteousness. If the righteous Jew with heretical beliefs has no place in the world to come, why should the righteous gentile who lacks the right beliefs have such a place?³² Perhaps one may venture to say that Maimonides was rational to an extent that was irrational?

3. The proposition that Judaism does not recognize Natural Law or Natural Right has not gone unchallenged. In recent years two esteemed scholars have questioned and opposed the conclusion dogmatically asserted by Leo Strauss.

In an essay with the significant title “Does Jewish Tradition Recognize an Ethic Independent of Halakha?”³³ Rabbi Aharon Lichtenstein, Rosh Yeshiva of Yeshivat Har-Etzion in Israel, states that the ancient rabbis recognized the existence of “natural morality.” “The fact remains,” he writes, “that the

existence of natural morality is clearly assumed in much that is quite central to our tradition.”³⁴ Although Rabbi Lichtenstein uses the phrase “natural morality,” instead of “natural law” or “natural right,” I do not think that this is a material difference, for the theory of Natural Law was in fact a theory of natural morality; it concerned itself with the rules of right or virtuous conduct and with the moral quality of character.

If the issue stated by the title of the essay is natural morality—whether natural morality is recognized by the Jewish tradition as an ethic independent of Halakha—the answer, says Lichtenstein, “need hardly be in doubt.” As prooftexts he quotes the famous saying of Rabbi Yohanan as quoted in the Talmud:

If the Torah had not been given, we would have learnt modesty from the cat, [aversion to] robbery from the ant, chastity from the dove, and [conjugal] manners from the cock.³⁵

According to Lichtenstein, the passage implies (at least) three things: that ante-halakhaic virtues exist; that they can be inferred from natural phenomena; and that they are not only observable in nature but that they are inherent within nature.

The author then refers to the concept of *derekh eretz* that may be broadly defined as civility, proper ethical conduct, conduct “which is right and fitting toward people.” *Derekh eretz* is important not merely as conduct that is conventionally approved, but “as prescriptive *lex naturalis*.” He quotes the statement of Rabbi Eliezer b. Azaria as it appears in the Mishna, that “without Torah, there is no *derekh eretz*, and without *derekh eretz*, there is no Torah.”³⁶ The Midrash, Lichtenstein comments, goes beyond this dialectical reciprocity, stating that “*derekh eretz* preceded Torah”—not merely chronologically, but axiologically.

As the Maharal put it, “From this [i.e., the Mishna] we learn that *derekh eretz* is the basis of Torah which is,” as explained by the Midrash, “the way of the tree of life.” Their link [of Torah and *derekh eretz*] reinforces our awareness of the Rabbis’ recognition of natural morality.³⁷

A rejection of natural morality, says Rabbi Lichtenstein, cannot mean that apart from halakha—in the absence of divine commandment—“man and the world are amoral. . . . At most, the Rabbis rejected natural law, not natural morality. They may conceivably have felt one could not ground specific binding and universal rules in nature but they hardly regarded uncommanded man as ethically neutral. . . . One might contend, maximally, that natural morality is contextual rather than formal. It does, however, exist.”³⁸

4. Along other lines of argument, the late Robert Gordis likewise found a legitimate place for Natural Law (or Natural Morality) in Judaism. The Noahide Laws, he wrote, antedate in Judaism the Talmud. The apocryphal

Book of Jubilees (written sometime before the Christian era) attributed to Noah moral instruction binding on all men:

In the twenty-eighth jubilee [year] Noah began to enjoin upon his sons' sons the ordinances and commandments and all the judgments that he knew and he exhorted his sons to observe righteousness. . . .³⁹

This instruction became in the Talmud the Noahide Seven Laws.⁴⁰ Gordis also cited a passage in the New Testament (written by a Jew?) that seems to refer to the Noahide Laws.⁴¹ The doctrine of the Noahide Laws, Gordis wrote,

. . . represents in essence a theory of universal religion which is binding upon all men. Characteristically Jewish is its emphasis upon good actions rather than upon right belief as the mark of the good life. Ethical living rather than creedal adherence is the decisive criterion for salvation. Its spirit is epitomized in the great rabbinic utterance, "I call Heaven and earth to witness, that whether one be Gentile or Jew, man or woman, slave or free man, the divine spirit rests on each in accordance with his deeds."⁴²

A chapter in the book, *The Root and the Branch*, has the title "Natural Law in the Modern World," in which Gordis makes a strong argument for a rightful place of the theory of Natural Law in our time.⁴³ The theory of Natural Law, Gordis stated, is based on three elements; namely, human nature, justice, and reason. Laws must be in harmony with human nature, which is believed to be constant through time, universal, and knowable. Laws are not always identical with justice, but they must be just if they are to meet the demands of Natural Law. And law must satisfy reason.

It has been assumed, over the centuries, wrote Gordis, that the sources of Natural Law are to be found only in ancient Greek and Roman thought, while the Hebraic sources have been entirely neglected and forgotten. The Hebraic sources, however, are to be found in the Hebrew Bible, the apocryphal books, and the Jewish deposit in the New Testament. This was known to seventeenth and eighteenth century scholars (e.g., John Selden, who, in 1665, identified the Noahide Laws with Natural Law),⁴⁴ but generally it has been bypassed as if nonexistent.

In our own time the theory of Natural Law has been in disrepute because the theory has generally been used to sustain the *status quo*, and this was possible because human nature was assumed to be unchanged and unchangeable, so that what was reasonable and just two thousand years ago must be reasonable and just at all times and everywhere. The Jewish contribution can correct this misapprehension. The fact is, wrote Gordis,

. . . that the dynamism of the Judeo-Christian world view, the sense of history moving toward a great consummation, was not present in Greek and Roman thought, which saw life as unchanging and human history as going through repetitious cycles.⁴⁵

Since it was Greco-Roman civilization that produced Natural Law, its static character seemed to be indispensable. To be viable today, the theory needs to be reinterpreted to incorporate the Jewish contribution. The demands of human reason and of justice remain essential elements; human nature, however, has in it elements that are constant, universal, and knowable, but the components must be seen as potentially changeable. "Human nature is dynamic and rich in potentialities which must be reckoned with in any viable theory of natural law."⁴⁶

Some elements of human nature are, indeed, constant, such as friendship, love, reason, and culture. These are not artificial grafts upon human nature but are inherent elements in it. Without such intellectual, aesthetic, and spiritual aspects human nature is not human.⁴⁷ But there are also darker sides to human nature. "Human nature exhibits the qualities of friendship, love, cooperation, the appreciation of beauty, the hunger for righteousness. But it also reveals aggressiveness, greed, lust, irrationality."⁴⁸ Which set of traits are the basic elements of human nature to be recognized as such by Natural Law?

To answer this question, Gordis considered man in a cosmic setting, in which he saw that

as we ascend the evolutionary ladder from amoeba to man, we encounter an ever greater complexity of physical structure, . . . and an ever more developed nervous system with a heightened degree of consciousness, which reaches the maximum of self-awareness in man. Nor is this all. This self-awareness in man is more than a consciousness of self; it expresses itself in the love of beauty, in moral aspiration, and in the capacity to reason.⁴⁹

As we observe the phenomena of human behavior, we are compelled to make value judgments, and we make the value judgment that the basic traits of human nature are reason and justice rather than irrationality, greed, and cruelty. And in doing so, we make value judgments that "have their source in a world view fashioned by a theistic metaphysics."⁵⁰

The jurist may not wish to push his inquiry into such a seemingly remote area as "theistic metaphysics," but he should recognize the fact that, as Gordis says,

Granted the existence of rationality and creativity within man, far-reaching consequences do emerge with regard to the nature of the universe of which man is the offspring. The nature of man *in esse* sheds light upon the character of the universe *in posse*, which, therefore, emerges as rationally created, dynamic, and possessing within itself the seeds out of which have developed the specific human traits in human nature. These are pre-eminently the attributes of rationality, moral aspiration, and creativity.⁵¹

5. That our view of human nature cannot be static has become clear in the twentieth century. After Freud, our knowledge of human nature is much more complex than it was before psychiatry, psychoanalysis, and psychology took into serious

consideration the existence and the effect of the subconscious. We know much more about human sexuality. The status of women has undergone a radical change. Since the Holocaust, we can no longer be as trusting in man as were the philosophers of the Enlightenment; we are constantly reminded that, as Jeremiah said, "the heart is deceitful above all things, and desperately wicked."⁵²

And yet, as the Charter of the United Nations, and the various domestic and international bills of rights affirm, and as the Book of Genesis portrays, there is a common humanity, a human nature in which all men and women participate, despite differences with regard to race, color, creed, nationality, ethnicity, sex, political opinion, language, culture, or class. This belief is the bedrock on which any theory of Natural Law must be based.

It is this view of a common human nature on which the concept of the Noahide Laws is based. And the Seven Laws given by God to Noah and his descendants are as clear and pure an example of what was meant by the theory of Natural Law as is the cry of Antigone in her confrontation with Creon, and the formulations of the theory by Cicero or Grotius.

As Jacob Katz has noted, Moses Mendelssohn felt forced to reject the view of Maimonides that there is no salvation for righteous gentiles who do not acknowledge that their moral beliefs and actions are founded on Divine Revelation (or, even more perplexing, on the revelation by God to Moses). In a letter to Jacob Emden, Mendelssohn wrote:

For shall not the inhabitants of the earth, from the rising of the sun unto the going down thereof, except ourselves [the Jewish people], descend into the pit and become an object of abhorrence to all flesh, if they do not believe in the Torah which has been given as an inheritance to the congregation of Jacob only?⁵³

Mendelssohn's "deep belief in the common humanity"⁵⁴ of all men was rooted in the Hebrew Scriptures. It was not rooted in Enlightenment philosophy but only confirmed and invigorated by it.

The idea of natural law, Jacques Maritain wrote,

. . . is a heritage of Christian and classical thought. It does not go back to the philosophy of the eighteenth century, . . . but rather to Grotius, and before him to Suarez and Francisco de Vitoria; and further back to St. Thomas Aquinas; and still further back to St. Augustine and the Church Fathers and St. Paul; and even further back to Cicero, to the Stoics, to the great moralists of antiquity and its great poets, particularly Sophocles. Antigone is the eternal heroine of natural law, which the Ancients called the *unwritten law*, . . .⁵⁵

There is no mention of the substantial contribution that Judaism has made, for Jewish thinkers, with rare exceptions, have either ignored the subject, or have abandoned any claim to the theory, or have muddied the waters. The theory of Natural Law is a legitimate and significant part of the Jewish legacy, and it ought to be reclaimed, with conviction of its demonstrability, and with a sense of justified self-esteem.⁵⁶

NOTES

1. Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), pp. 81–86.
2. Moliere, *Le Bourgeois Gentilhomme*.
3. Cicero, *De Legibus*, I, x, 29; I, xii, 33 (Loeb Classics), pp. 329, 333.
4. See supra, note 3.
5. Note 1 supra, at p. 74.
6. Genesis 1: 26, 27.
7. Genesis 9: 5, 6.
8. Babyl. Talmud, Sanhedrin 56a–b.
9. J. H. Hertz, *The Pentateuch and Haftorahs* (London: Soncino Press, 1938), p. 33.
10. Isadore Twersky, *A Maimonides Reader* (New York: Behrman House, 1972), p. 221. See M. Kellner, *Maimonides on Judaism and the Jewish People* (Albany: SUNY Press, 1991), p. 75, regarding the question of correctness of phrase “but one of their wise men.”
11. Genesis 1: 17. Regarding “feared God,” see Hertz, note 9 supra, at p. 208.
12. Leviticus 18:5.
13. Babyl. Talmud Baba Kamma 38a.
14. Marvin Fox, *Interpreting Maimonides* (Chicago: University of Chicago Press, 1990), pp. 124–51.
15. *Ibid.*, p. 127. Quote from Babyl. Talmud, Yoma 67b.
16. *Ibid.*
17. *Art Scroll Siddur*, 103.
18. *Authorized Daily Prayerbook*, trans. S. Singer.
19. Exodus 15:26.
20. 1 John 5:11–12.
21. Matthew 7:13–14.
22. Sifra 36b, quoted in C. G. Montefiore and H. Loewe, *A Rabbinic Anthology* (London: Macmillan, 1938), 564.
23. Isadore Twersky, *Introduction to the Code of Maimonides (Mishne Torah)* (New Haven: Yale University Press, 1980), p. 458.

There is another passage in *Mishneh Torah* that may be relevant although it does not concern itself with the Noahide Laws. In the treatise on Sabbatical and Jubilee Years (*hilkhot Shmittah ve-Yoval*), Maimonides considers the status of the Levites with regard to shares in the Land of Israel. At the end of his treatment of the subject, Maimonides explains why the tribe of Levi were granted no right to such shares, and then he states the following:

Not only the Tribe of Levi, but also each and every individual of those who come into the world [not Israelites, but “each and every individual”?] whose spirit moves him and whose knowledge gives him understanding to set himself apart in order to stand before the Lord, to serve Him, to worship Him, and to know Him, who walks upright as God had made him to do, and releases his neck from the yoke of the many speculations that the children of man are wont to pursue—such an individual is consecrated to the Holy of Holies, and his portion and inheritance shall be in the Lord forever and evermore. The Lord will grant him in this world whatsoever is sufficient for him, the same as He had granted to the priests and the Levites. Thus indeed did David, upon whom be peace, say, “O Lord, the portion of mine inheritance and of my cup, Thou maintainest my lot” (Psalm 16:5). *The Code of Maimonides—Book of Agriculture*, Isaac Klein, trans. vol. XXI Yale Judaica Series (New Haven: Yale University Press, 1979), p. 403.

The passage in its context, and when read as against the passage in *Mishneh Torah* dealing with the heathen who observes the Noahide Laws (Kings and Wars, ch. VIII, sec. II, in *The Book of Judges*, p. 230 vol. III, Yale Judaica Series) raises questions that I cannot resolve. Perhaps, since the passage quoted above speaks of priests and Levites, Maimonides, when he used the phrase “every

individual” meant Israelites as distinguished from priests and Levites, and did not mean non-Jews?

24. Haim Cohn, “Authority and Reason in Ancient Jewish Law,” in *Selected Essays* (Tel Aviv and Jerusalem, n. d.), pp. 122–23.

25. *Ibid.*, pp. 158–59. In the Cohn statement of the position of Maimonides it is said that the gentile “is not deemed either righteous or wise.” In other versions it is said that the gentile would not be considered righteous but he would be considered as one of the wise men among gentiles. It depends on which of the ancient texts of Maimonides the scholar uses. Cf. *ibid.*, pp. 150–51.

26. Gal. 3:23–29.

27. Micah 6:6, 8.

28. Amos 5:23–24.

29. Philo, *De Officio Mundi*, ch. LXI (Loeb Classical Library), pp. 135–37.

30. Louis Jacobs, *Principles of the Jewish Faith* (London: Vallentine, Mitchell & Co., 1964), pp. 9–10.

31. *Ibid.*, p. 15.

32. What I have said should not be taken to mean that I hold the position that there are no dogmas in Judaism. There is a place in Judaism as a religion for dogma, ritual, and ethics. Countless numbers of Jews have chosen martyrdom rather than avow what they considered heretical beliefs. But priority is given to ethical conduct, not to beliefs or ritual observance, and there is no consensus on fundamental beliefs, nor on their number or on their interpretation.

33. Aharon Lichtenstein, “Does Jewish Tradition Recognize an Ethic Independent of Halakha?” in *Modern Jewish Ethics, Theory and Practice*, ed. Marvin Fox (Columbus: Ohio State University Press, 1975).

34. *Ibid.*, p. 63.

35. Erubin 100b.

36. Abot 3:17.

37. *Op. cit. supra*, note 33, at p. 63.

38. *Ibid.*, p. 64.

39. Robert Gordis, *The Root and the Branch* (Chicago: University of Chicago Press, 1962), 46. The quotation is from *Jubilees* 7:22.

40. Babyl. Talmud Sanhedrin 56a.

41. The Acts of the Apostles 15:20, 29.

42. *Op. cit. supra*, note 39, at p. 47. The quotation within the passage is from *Yalkut Shimoni* on Judges, Sec. 42.

43. This chapter is substantially reproduced in a later book by Gordis, *Judaic Ethics for a Lawless World* (New York: Jewish Theological Seminary of America, 1986), published twenty-four years later. In the latter work, the matter is presented in two chapters, “Natural Law for the Modern World” and “Jewish Sources for Natural Law.” The paper is also published in a collection of lectures and papers for the Center for the Study of Democratic Institutions, *Natural Law and Modern Society* (Cleveland, 1963), and as a chapter in *Ethics in an Age of Pervasive Technology*, ed. Melvin Kranzberg (Boulder, CO: Westview Press, 1980).

44. Gordis, *The Root and the Branch*, p. 225.

45. *Ibid.*, p. 213.

46. *Ibid.*, p. 234.

47. *Ibid.*, pp. 215–16.

48. *Ibid.*, p. 219.

49. *Ibid.*, p. 221.

50. *Ibid.*, p. 222.

51. Ibid., p. 235.

52. Jeremiah 17:9.

53. Jacob Katz, *Exclusiveness and Tolerance* (London: Oxford University Press, 1961), pp. 176–77. See also p. 175 regarding the authority on which Maimonides relied for his formulation.

54. Ibid., p. 177.

55. Jacques Maritain, *The Rights of Man and Natural Law* (New York: Charles Scribner's Sons, 1943), pp. 59–60.

56. After completing this essay, I read, with much interest and benefit, the excellent paper by Steven S. Schwartzschild, "Do Noachides Have to Believe in Revelation?" in *Jewish Quarterly Review*, 57, 4 (April 1962):301, and concluded in the subsequent number, 58, 1 (July 1962):30. It is a valuable, scholarly discussion that supports my analysis and conclusions.

I have also read the excellent essay by Eugene Korn, "Gentiles, the World to Come, and Judaism: The Odyssey of a Rabbinic Text," in *Modern Judaism*, XIV:3 (October 1994): 265. This essay argues substantially along the lines I do. At the end of his paper, Korn quotes an interesting letter by Chief Rabbi Abraham Isaac Kook, the point of which is that a gentile who reaches the Noahide Laws through the rational process, and not through a belief that they were given by God, merits a share in the world to come and recognition as being one of their wise men.

Errata

In Steven J. Zipperstein's "Home Again?" (JUDAISM, Fall 1995), the editors incorrectly attributed a quotation to Delmore Schwartz's story "In Dreams Begin Responsibilities." In fact, the quote appears in the story "America! America!" in the volume *In Dreams Begin Responsibilities and Other Stories* (New York: New Directions Books, 1978), p. 20. We apologize for the error.

S U S A N C O M N I N O S

A Love Poem

for my mother

Adonai of night and of flowers,
God of my life. I was not expected to be
beautiful. When flowers grew from my hands I surprised everyone,
but my mother.

In any language my name
means *lily*. Basin in a vase
or bath of rain, I have the same wholly American
whorls (fingerprints, curls) and features as when
my first-generation mother
invited me into being
her future. She asked and I answered
with a face like her mama's
mishpoche, but with different colored
petals, my hair, oh my eyes.

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Ethical Issues of Animal Welfare in Jewish Thought

Z E ' E V L E V Y

ETHICS UNTIL NOT SO LONG AGO WAS CONCERNED exclusively with humans. No philosopher or theologian deliberated, from the ethical point of view, on the status of animals in their own right. Recent years have seen a steadily growing interest in animals and their welfare, as well as in ecological and ethological problems in general on the part of philosophers, but this has not yet changed the approach to these matters in a substantial manner. There are relatively few philosophers, and almost no religious thinkers, who challenge the traditional outlook that man is the crown of creation. According to the Jewish sources, the Bible and the Talmud, man was destined to be master over all animals; they were designed to serve man. But they at the same time emphasized that true mastery implies taking care of those who are dependent upon you, and to defend the rights of the weak and the vulnerable. Animals ought not to be treated just any way we like; otherwise the master turns into a despot. God not only gave man dominion over all animals (Genesis 1:26, 28), but on many occasions the Bible elucidates how to carry out this dominion in an appropriate and humane way.

In medieval and early modern thought the view that animals are living and sentient creatures was pushed aside. Descartes called animal consciousness a "prejudice to which we are accustomed from our earliest years"?¹ Unlike humans who are endowed with a soul, animals, he claimed, are no more than *automata*, and incapable of any sort of conscious state, including the feeling of pain. This is obviously ridiculous. We know that animals, especially mammals and birds, feel pain no less than humans. They simply cannot tell us about it, although we can easily infer it from their behavior.

Spinoza, however, in the *Ethics* contested Descartes' view. From the point of Spinoza's ethics it follows that all *sentient* beings possess some moral rights, especially the higher animals (mammals, birds, fish). This perspective does not award animals full and equal rights with human persons; no defender of animal rights makes the claim that animals and humans have identical rights.

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The prevalent current distinction is that animals particularly possess consciousness while humans possess self-consciousness. According to this last distinction, only self-consciousness forms the basis for moral concern. Kant, among others, asserted that animals lack the decisive quality of rationality, and are therefore not subject to moral considerations. Only man is an end in itself. "But so far as animals are concerned, we have no direct duties. Animals are not self-conscious, and are there merely as a means to an end. That end is man.[. . .] Our duties towards animals are merely indirect duties towards humanity."²

It is important to observe how prejudices with regard to animal behavior are embedded in common language. Words such as "brutality" and "bestiality" are projected onto animals though what they express is human cruelty and aggression, which are characteristics of humans not of animals. Worth noting is that Kant recommended kind behavior to animals, because cruelty to animals might foster similar cruelty in man's dealings with his fellow-men.

Thus, if a dog has served his master long and faithfully, his service, on the analogy of human service, deserves reward, and when the dog has grown too old to serve, his master ought to keep him until he dies. Such action helps to support us in our duties towards human beings.[. . .] We have duties towards the animals because thus we cultivate the corresponding duties towards human beings. [. . .] (Man) must practise kindness towards animals, for he who is cruel to animals becomes hard also in his dealings with men.³

There certainly is some psychological truth in Kant's argument that kind treatment of animals is likely to cultivate this virtue, though it is ethically insufficient. The main weakness of Kant's argument, however, consists in the impossibility of proving the assertion that animals merely exist as a means to an end. In the Bible, by contrast, there are many statements that attribute to God direct concern for the welfare of animals.

The opinion that animals are devoid of consciousness (Descartes) or self-consciousness (Kant) clashed with the traditional view, still prevalent in the Middle Ages and in the beginning of the modern era. Animals who killed people were brought before the court, condemned to death, and executed. All this was in line with the biblical command that a goring ox should be put to death (Exodus, 21:28, 29; perhaps this was also done to prevent blood-vengeance on its owner). These practices, so strange to us now, were abandoned only in the eighteenth century. Acts such as hanging an animal in public appear even more disgusting to us than hanging a man, since we do not consider animals to be responsible for their acts. However, in the Bible animals were sometimes considered to be accountable for their deeds just as men are. "If an ox gore a man or a woman, that they die: then the ox shall be surely stoned. . ." (Exodus 21:28). The next verse adds that if the ox was known to be dangerous, the responsibility includes also his negligent owner, and both should be put to death. Also, both men and animals were not allowed to go up into Mount Sinai or touch its border; for doing so both

should be put to death (Exodus 19:12–13). This means that both were assumed to be responsible for their acts.

There are human beings who, regrettably, are human only because they belong to the species of *homo sapiens*, but lack the faculties that are characteristic of the human species (e.g., mentally debilitated infants, persistently comatose persons, etc.). They are not truly human from the ethical point of view although our treatment of them must be guided by ethical principles. On the other hand, there are animals who possess certain characteristics distinctive of our species (chimpanzees, gorillas, dolphins, and to a lesser extent dogs, cats, horses, etc.), which these unfortunate humans lack. Should these animals rank higher than, for example, mentally handicapped infants? The issue is also linked to the notion of “*sanctity of life*.” But why is this principle usually limited only to human life? To reformulate it as the principle of “sanctity of human life” would be fallacious because it might then lead to speciesism which is morally no more defensible than racism or sexism. So the crucial question is: In what does the *moral* distinction between human and animal life consist? This remains a controversial issue. As noted, humans possess faculties and characteristics that animals lack, but can they serve as an ethical ground for denying certain moral rights to animals?

Although we acknowledge that humans and animals are not equal, neither in the biological nor in the ethical sense, we nevertheless feel uneasy with the argument of speciesism. (The term was coined by Peter Singer.⁴) The term recalls S. D. Luzzatto’s argument of the different treatment to be given a Hebrew and a Canaanite slave; the interests of the Hebrews take precedence over those of others because one cares more for one’s own family and for one’s own kind than for others. So why not extend this plea also to our species? If one prefers the interests of one’s family to other people, of one’s nation to other nations, why not of one’s species to others? Is it not self-evident, or even a platitude, that one should care more for humans than for animals? But the Damocles-sword of this argument is unavoidable. It could also serve to vindicate racism, namely the claim that whites are superior to blacks, Aryans to non-Aryans, and that the interests of the former outweigh those of the latter; it might support sexism (i.e., that men are intellectually and otherwise superior to women). Yet most people who are sincerely opposed to racism and sexism do not extend this ethical outlook of equality to animals. Opposition to racism and sexism does not necessarily entail rejection of speciesism, but it is not the same the other way ’round.

From the species distinction there is only a relatively small step to race distinctions. The nineteenth century racists indeed founded their theories on inferences from animals to humans. As there are different races of dogs, they claimed, with different characteristics, there are distinct human races with allegedly distinct mental capacities. The Achilles-heel of the argument obviously is not the fact that there exist different human races but the assertion that they represent different grades of humanness. Even Kant was convinced that skin

color indicates different degrees of human perfection, and believed whites to be superior to black, yellow, and red people.⁵ Therefore, the species argument, notwithstanding the best of intentions, is liable, like any other slippery-slope argument, though perhaps inadvertently, to justify racial discrimination.

Thus it follows from all this that it would be simply wrong to disregard the interests of animals because they do not belong to our species. Where animals and humans display common characteristics—for example, suffering and pain—they ought to be treated similarly. The same reason, namely that tormenting *hurts*, applies equally to humans and to animals. On the other hand, where animals differ from humans, they ought to be treated accordingly. But what is most important, if animals are capable of feeling pain like humans, if they also can suffer, then it is ethically no less wrong to inflict pain and suffering on animals than on humans. In that case it is morally irrelevant whether the suffering creature is human or non-human. Already, Jeremy Bentham, Kant's contemporary, was aware of this and wrote in a famous passage,

The day *may* come when the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny. The French have already discovered that the blackness of the skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may one day come to be recognized that the number of legs, the villosity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason, or perhaps the faculty of discourse? But a full grown horse or dog is beyond comparison a more rational, as well as more conversable animal, than an infant of a day or a week, or even a month, old. But suppose they were otherwise, what would it avail? The question is not, Can they reason? nor Can they talk? but, *Can they suffer?*⁶

Among the major philosophers, Schopenhauer alone expressly extended ethical norms to animals; this reflected his predilection for Indian religions which he preferred to Christianity. Regrettably, however, his view included unjustified accusations against Judaism. Since man, according to Genesis, was awarded dominion over animals, Schopenhauer accused Judaism of being the origin of the derogation of animals in Europe. "The alleged lack of rights of animals, the illusion that their treatment by us has no moral significance [. . .], that there are no duties to animals, is a disgusting crudeness and barbarity of the occident, the source of which is in Judaism."⁷

He writes still more venomously elsewhere,⁸ and exclaims: "It is time to put an end to the Jewish conception of nature, at least with regard to animals, and to acknowledge, defend and respect the eternal essence which exists, as in us, in all animals."⁹ Schopenhauer's defense of animals is certainly laudable in itself, and the movement for prevention of cruelty to animals indeed drew much inspiration from him, but together with the ethical elements of his philosophical views on animals it also absorbed, *nolens-volens*, many of his anti-Jewish prejudices. For this reason, Jews, while on the whole supporting the

aims of these movements, manifested a certain amount of suspicion towards them. With Schopenhauer we have, as in a nutshell, the controversy which divides contemporary philosophers in regard to man's relationship to animals, namely whether we owe them direct duties (Schopenhauer) or merely indirect duties (Kant). We shall encounter this division also in the Jewish literature on man's relationship to animals.

Bentham's disciple, John Stuart Mill, emphasized the common moral category of suffering humans and non-humans. To cause suffering is therefore morally wrong with regard to both. Although this seems to be self-evident, most of us nonetheless take it for granted that we can use animals for experimentation and other purposes as we deem fit, despite the suffering involved.

Utilitarianism challenged this deep-seated outlook, that only human beings are worthy of moral considerations, and extended the realm of morality to all sentient beings. Bentham's relentless appeals induced the British parliament, in 1824, to pass a law to prevent cruelty towards animals. From the Jewish aspect it is noteworthy that, besides Bentham, it was a Jew, Lewis Gompertz, who strongly furthered this cause by his *Moral Enquiries on the Situation of Men and Brutes* (1824). He also was, in 1826, one of the cofounders of the British Society for the Prevention of Cruelty to Animals. Gompertz served as its first secretary but when it adopted Christian sectarian views in 1832, he was dismissed. He then founded the Animals' Friend Society and published the influential periodical *The Animals' Friend* until 1846.¹⁰ He considered it ethically wrong to use animals for human needs; he was a vegetarian and did not even ride in horse-drawn carriages. This English society was soon followed by the founding of similar associations in other countries. In Israel such groups first sprang up during the British mandate. Unfortunately, in the nineteenth century some of these groups displayed certain anti-Semitic tendencies. They tried to prohibit *Shechita*, Jewish ritual slaughter, which they depicted, wrongly, as a cruel form of killing animals. Although the claim was scientifically unfounded, *Shechita* was outlawed in Switzerland in 1892, in Norway in 1930, and, of course, in Nazi Germany.

The Hebrew term for prevention of cruelty to animals—צער בעלי חיים (literally: "grief of living beings")—appears in *Baba Metziah* (31a) and other Talmudic passages. However, the prohibition of cruelty to animals and the duty to provide for the needs of domestic animals are emphasized in the Bible. God says to Jonah: "And should not I spare Nineveh [. . .] wherein there are more than six score thousand persons [. . .] and also much cattle?" (Jonah 4:11). By the way, the animals, according to the story, repented like the human inhabitants of the city: "But let man and beast be covered with sackcloth, and cry mightily unto God. . ." (Jonah 3:8). Likewise, in the story of the Deluge God punished all animals together with all men, only saving one pair of each kind as he saved one human family. In a similar vein the psalmist declares: "O Lord, thou preservest man and beast" (Psalm 36:7). God takes care of all his creatures

(Psalm 145:9), and provides food for all (Psalm 147:9, Job 38:39, 41), for man and beast alike (Psalms 104:14, 145:16).

Much of God's care of animals belongs to the category of *direct* duties. He cares for wild goats, rabbits (Psalm 104:18), young lions, ravens and so on, which do not serve man's interests. Because God takes care of animals, they also appeal to him in times of distress (Psalms 104:21, 27; 147:9, Job 38:41). God also expects the "beast of the field, the dragons and the owls" to "honor me [. . .] because I give waters in the wilderness, and rivers in the desert" (Isaiah 43:20). These verses, and many kindred ones, emphasize God's care of all animals; similarly the injunction not to take the bird, sitting on its young or on its eggs, together with them, but to let it go first (Deut. 22:6/7), is a clear admonition of Tza'ar Ba'alei Haim.

Yet most of the biblical commandments to assure fair treatment of animals refer to domestic animals. They can be interpreted either as direct or indirect duties. They derive from the assumption that man knows the needs of his household animals. "A righteous man regards the life of his beast" (יודע צדיק נפש בהמתו, Proverbs 12:10). There are numerous commands of this kind in the Bible and the Talmud, as well as in later Jewish writings. The Bible uses the word "beasts" (בהמות) to denote wild animals as well as domesticated ones, whereas the Talmud distinguishes linguistically between the two, reserving *behemot* for domestic animals and *chayot* (חיות) for the others. The distinction appears to have been for the Halakhic ritual; the first were considered *kasher* (i.e., allowed to be eaten), while the latter (except the deer and the ibex) were *tareff* (i.e., forbidden to eat).

The obligations of humans to animals is a thread that runs through the Bible. On the Shabbat everybody of the household shall rest, including animals (בהמתך; the translation "cattle" is inaccurate; Exodus 20:10). This is repeated in Deuteronomy where it is explicitly specified that this includes "your ox, your ass and all your beasts" (Deut. 5:14). Likewise, the sabbatical year is designed also for the welfare of "thy cattle, and for the beasts that are in the land" (Leviticus 25:7). This verse expresses again a direct duty towards animals ("the beast in the land"). Moses obtained water from the rock, so that "the congregation and their beasts drink" (Numbers 20:8).

The Talmud underscores the duty to take care of (domestic) animals. One ought to buy an animal only after having provided food for it (*Yerushalmi, Yebemot*, 15:3). One should not sit down to eat before having given food to one's animals (*Gittin*, 62a). This, of course, brings to mind the story about Rebecca who gave Eliezer drink from her pitcher, and volunteered to water his camels (Genesis 24:16–20). Whatever her motives, this act proved her good character to Eliezer (Genesis 24:14). Moses and David were praised for the devoted care of their flocks. There is the famous story about Moses looking for a stray lamb. Therefore, according to the Midrash, he was deemed fit, by a voice from heaven, to be the shepherd of the People of Israel. Bala'am, on the other hand, was rebuked for smiting his ass (Numbers 22:32). Fred Rosner rightly describes

this as “a classical text for the teaching of humane treatment of animals.”¹¹ The most striking example against cruelty to animals is undoubtedly the commandment to unload an animal, staggering under its burden, even if it belongs to one’s enemy (Exodus 23:5). When Maimonides included this commandment in the *Mishneh Torah*, he added that it also applies to the animal of a heathen.¹²

These verses illustrate the obligation to take care of one’s household animals and to treat them well. But there are also many more verses that condemn cruelty to animals. It is forbidden to muzzle an ox when it is threshing (Deut. 25:4), to slaughter an animal and its young on the same day (Leviticus 22:28), to plough together with an ox and an ass (Deut. 22:10), and so on. All these laws were emphasized in the Midrashim, and Maimonides elaborated many of them in the *Guide of the Perplexed* and in the *Mishneh Torah*.¹³ Kind and careful treatment of animals even justifies the desecration of Shabbat and holidays, in order to relieve them from suffering.¹⁴

While some of these laws clearly express direct duties to the animals themselves—driving away the mother-bird before taking her young, not to slaughter an animal and its young on the same day, and so forth—most of them stressed indirect duties in the Kantian sense, and have as part of their purpose the education of human beings and the development of decent and humane relationships to animals: they are training in how not to succumb to cruelty. In this spirit Maimonides interpreted the biblical and Talmudic recommendations with regard to animals as aiming at “perfecting us so that we shall not acquire moral habits of cruelty.”¹⁵ Similarly, Sa’adya pointed out that showing pity towards animals gets a reward in this world.¹⁶

Although there have been Jewish vegetarian sects, mainstream Judaism was not opposed to eating meat (evidently of kosher animals only). Maimonides, for example, approved of meat-eating but condemned the killing of animals out of cruelty or for sport.¹⁷ This, of course, does not apply to killing dangerous beasts (lions, panthers, snakes, scorpions, etc.) which is an obvious act of self-defense. Some biblical commentators claim that both men and animals were originally vegetarians, and the eating of meat was granted by God only after the Deluge. According to this argument, although God gave humanity dominion over all animals in the Garden of Eden, God, as it were, did not give us their meat to eat: the relevant proof-text cited is Genesis 1:29: “Behold, I have given you every herb bearing seed, which is upon the face of the earth and every tree in which is the fruit of a tree yielding seed; to you it shall be for meat.” This view holds that the antagonism between man and beast, symbolized by the enmity between Eve and the serpent, arose only after the expulsion from Gan-Eden. Mythological elements of the story of the Flood aside, it appears improbable that beasts of prey changed their nature and habits. Unlike human beings meat-eating animals cannot choose to become vegetarians. Some commentators tried to explain the post-deluge permission to eat meat—“Every moving thing that lives shall be meat for you” (Genesis 9:3)—by making the claim that after the flood humanity was weaker and needed additional food. In any event, the Bible mentions animal

sacrifices beginning with the story of Cain and Abel. Was the meat of these sacrificed animals not consumed?¹⁸ Without entering into a discussion on the diverse aspects of animal (and human) sacrifices in antiquity, it should be noted that when the prophets condemned sacrifices, they were not concerned with the suffering of innocent creatures but criticized the prevalent view of their times that human beings can atone by such sacrifices for their evil deeds (Isaiah 1:11 ff., Jeremiah 6:20, Amos 5:22–24, Hosea 8:13, Micha 6:6–8, Proverbs 21:27). They were not motivated by *Tza'ar Ba'alei Haim*.

The most famous Talmudic example emphasizing the ethical aspect of *Tza'ar Ba'alei Haim*, is the story about Rabbi Yehuda ha-Nassi (the editor of the Mishna). When a calf, escaping slaughter sought shelter with him, he said to it: "Go, for this wast thou created." For this indifference to the calf's suffering he was punished from heaven. "Since he has no pity, let us bring suffering upon him." According to the story he was afflicted with toothache, lasting for thirteen years; it was lifted only after he saved a litter of kittens (*Baba Metziah*, 85a). This story is quoted often to corroborate the ethical significance of *Tza'ar Ba'alei Haim*. The Bible denounces hunting. Only two hunters, Nimrod and Esau, are mentioned in it. Although the Bible does not ascribe to them any moral evil—Nimrod who was a Babylonian was only reproached for his idol-worship and his pursuit of Abraham—they have become in some ways a prototype of evil. This holds in particular for the name of "Esau" which in the Middle Ages acquired a defamatory connotation, as designating Israel's enemies.¹⁹

There is obviously an essential distinction between shearing sheep to obtain their wool, which does neither hurt nor harm to them, and killing animals for the express purpose of using their skin, fur, plumes, and so on. One must not be a vegetarian in order to condemn the killing of birds for their plumes, or mammals (fox, minks, baby seals, and others) for their fur, elephants for ivory, or hunting as a pastime; all of them are ethically repulsive and objectionable activities.

A fully consistent ethical view regards killing animals for meat as producing harm to them because one deprives them of their life. Untimely death of animals, even if it is performed painlessly, causes harm. The messianic vision of Isaiah that

The wolf shall dwell with the lamb
and the leopard shall lie down with the kid,
and the calf and the young lion and the fatling together,
And the cow and the bear shall feed;
their young ones shall lie down together,
and the lion shall eat straw like the ox. (Isaiah 11:6–7)

is, of course, no more than a poetical allegory of striving for peace. In nature there are animals that feed on other animals, human beings among them. There is, however, a distinction that all radical defenders of animal rights emphasize. A lion will never become a vegetarian like an ox, despite Isaiah's wishful dream; lions, wolves, leopards and bears are beasts of prey that by

their very nature depend on meat. Humans, however, need not be meat-eaters; they can also live healthily on vegetarian food. On the other hand, if the theory of evolution links man to animals, his habit of meat-eating is not unnatural but a normal part of his nature. One may decide, for ethical (and other) reasons, to become a vegetarian, but it would be wrong to describe those people who continue to consume meat as exhibiting unethical behavior. That would be simply exaggerated and inaccurate. The issue of killing animals for food is not a matter of all or nothing. There is justified killing for food. Although the life of animals is not valueless, the value of human life and animal life is not the same.

The chief ethical issue with regard to animal welfare is not so much the killing of animals for food, but the horrible factorylike methods that achieve this purpose by the most profitable means. Fattening and force-feeding (of geese, calves, turkeys, etc.) are in flagrant contradiction to the nature and way of life of these animals and cause them suffering while still alive. There is no need to enter into details; there exists a vast literature on these matters.

Although the classical utilitarians (Bentham, Mill) called out for animal welfare, the philosophy of utilitarianism cannot and does not provide any convincing argument against these disgusting forms of animal raising. According to the criteria of utility such treatment of animals ensures not only the best profitable results for the producers, but also increases happiness among meat-eaters, who form the majority of humankind. Therefore, with all due respect to the personal ethical feelings of the founders of utilitarianism toward animals, the principles of utilitarianism—and first of all the principle of assuring the greatest happiness for the greatest number—if it takes into account humans only does not refute these practices. To fight against these repelling forms of animal-raising may look quixotic, but it certainly is an *ethical* question of the first degree.

The same principles that govern animal research and experimentation have existed since antiquity. Both these conditions do not obtain with animal experimentation. Animals are not asked whether they assent to experimentation, and—what is of the essence—the experiments, performed on them, are usually hurtful, and in the majority of cases entail debilitation and death. Many modern laboratory experiments on animals are extremely painful, physically as well as mentally (e.g., with Rhesus monkeys). Also, animals, unlike humans who participate in experiments, are kept in small cages, that is, in totally unnatural and unpleasant surroundings. Furthermore, all of us consider it repulsive to conduct experiments on human imbeciles (i.e., mentally retarded people), but most of us have no compunctions about their performance on self-conscious and intelligent animals such as primates. What *ethically relevant difference* is there to account for opposing using humans in a dangerous experiment, involving risk of life without informed consent, which also does not hold say for chimpanzees? Does their different *legal* status entail a *morally* relevant difference?²⁰ Rabbi M. Isserlis had even extended this opinion to other, not only medical, purposes. According to his ruling it is allowable to

pluck feathers from living geese, in order to obtain quills, but he at the same time recommended to refrain from it “because it is an act of cruelty.”²¹ This corresponds to the Talmudic rule of “Patur aval assur.”

The majority of contemporary rabbinic opinions permit animal experimentation for medical research because animals were, assumedly, created to serve man (*Kiddushim*, 82a-b). They even approve of vivisection, but solely for the advancement of human health. But then one may ask once again, if animals are there to serve man, why restrict their experimental use to health, and not to other needs? It is indeed very difficult to draw the exact line of demarcation. To justify animal experimentation by the biblical view that man was awarded dominion over all animals is ethically untenable, but that man’s life and health precede animal welfare can be ethically corroborated and recommended. This view implies, however, that it should be limited solely to medical ends, and that wherever it is possible to obtain the same research results by other means, the latter should be given priority.

Finally, to recapitulate the philosophical problems, raised in this essay: There are perhaps more people now who recognize our duties—whether direct or indirect—to animals, but there are still relatively few who accept the notion of animal rights. To acknowledge the latter is not only mandatory ethically but ecologically as well. Although the concept of animal rights raises questions about the biblical view of humanity’s dominion over animals, it perhaps even reinforces humanity’s preeminence over the beast-world, because we alone are capable of creating an ethics. Is it not incumbent upon us to extend this ethics to other living beings as well, and thus to contribute to a better and more harmonious relationship with our surroundings?

NOTES

1. From a letter to Henry More, February 5, 1649. R. Descartes, *Philosophical Letters* (Oxford: Oxford University Press, 1970), p. 65.
2. Immanuel Kant, *Lectures on Ethics* (New York/London: The Century Co., 1930), p. 239.
3. *Lectures on Ethics*, pp. 239–40.
4. Peter Singer, *Animal Liberation: A New Ethics for Our Treatment of Animals* (New York: Random House, 1975); *Practical Ethics* (Cambridge: Cambridge University Press, 1979), chapters 3 and 5.
5. I. Kant: “Von den verschiedenen Rassen der Menschen,” “Bestimmung des Begriffs einer Menschenrasse,” *Kants Saemtliche Werke* (Leipzig: Insel Verlag 1922), 2. Band, pp. 579–618. Only quite recently the press recorded the “sensational discovery” of an American scientist that Blacks have an I.Q. of 85 in comparison with 100 of the Whites. . . . (By the way, he accorded an I.Q. of 115 to the Chinese and Japanese, and still more to Ashkenazi Jews. . . .)
6. Jeremy Bentham, *The Principles of Morals and Legislation*, ch. XVII, Section I, 1789 (New York: Hafner, 1948), p. 311,n.
7. Arthur Schopenhauer, “Begründung der Ethik,” # 19, *Schopenhauers Saemtliche Werke* (Leipzig: Inselverlag, 1910), 3. Band, p. 634.
8. Schopenhauer, *Parerga und Paralipomena*, 2. Teil, Kap. XV: “Ueber Religion,” *Schopenhauers Saemtliche Werke*, 5. Band, pp. 403–04.
9. *Ibid.*, p. 409.

10. *Encyclopedia Judaica*, Vol. 7, p. 773.
11. Fred Rosner, *Modern Medicine and Jewish Ethics* (Hoboken: Ktav, 1986), p. 324.
12. Maimonides, *Mishneh-Torah, Hilkhot Rotzeach*, 13:1, 13:8, 13:9; see also Rosner, pp. 324–25.
13. Maimonides, *Guide of the Perplexed* (Chicago: Chicago University Press, 1963), Pt. III, ch. 48; Rosner, p. 323.
14. Rosner quotes the Talmudic tractate *Shabbat* (117b), in order to assert that “to save animals from suffering is regarded as a stronger reason for desecrating the Shabbat than to save oneself from personal loss” (Rosner, p. 327). It seems however difficult to separate the two reasons because the main example, also brought forward by Maimonides, is the injunction to unload an animal even after the beginning of the Shabbat, in order to relieve it from its burden and suffering (*Mishneh Torah, Hilkhot Shabbat*, 21:9, 21:10). One also must milk an animal in order to alleviate its pain; in this case there is obviously also the reason that otherwise the animal might suffer irreversible harm; that would be also a loss for its owner. The milk, however, should not be used, and the milking ought to be performed by a non-Jew. But in this case, from the Halakhic point of view, no desecration of the Shabbat is involved anyway. Employing a “Shabbes-Goy” has become a long-standing practice in Jewish history. But why is it then not stipulated, that a pack-animal should also be unloaded by a Gentile? It therefore seems more plausible that these Talmudic injunctions were meant to underscore the ethical importance of considerate treatment of animals as such.
15. Maimonides, *Guide of the Perplexed*, Pt. III, ch. 17; see also Rosner, p. 325.
16. Sa’adya Gaon, *Emunoth we-Deoth*, 5.
17. Maimonides, *Guide of the Perplexed*, Pt. III, ch. 17. 20. Compare with the relevant verses, quoted by Rosner.
18. Compare with the relevant verses, quoted by Rosner, and his rather questionable inferences.
19. The opposition to killing animals is sometimes couched in terms of “reverence for life.” Albert Schweitzer wanted to apply it to all living beings. It is noteworthy that similar views were not alien to Jewish thought. Rabbi Isaac Luria (“Ha-Ari”), the great Kabbalist, exhorted his pupils not to kill irritating insects. He thus anticipated Schweitzer who recommended keeping windows closed at night even to breathing stifling air, so that insects would not be attracted by lamplight, singed, and killed.
20. Tom Regan: “Ill-gotten Gains,” in *Health Care Ethics*, ed. by Donald van de Veer and Tom Regan (Philadelphia: Temple University Press, 1987), p. 244. See also Immanuel Jakobovitz in *Jewish Law Faces Modern Problems* (New York: Yeshiva University, 1965), p. 89.
21. Rosner, p. 329.

ח ו ה ר א ז ע נ פ א ר ב

אַקוואַריום

די נאכט איז אַ גרינע אַקוואַריום –
 און דו ביסט אַ פישל פון גאלד.
 און איך בין אַ גראַזיקע פאַלמע,
 וואָס וואָלט מיט דיר שלווהן געוואָלט.

נאָר דו האָסט די איוגן אין אומרו –
 און איך האָב די וואַרצלען אין רו.
 נאָר איך בין דאָס אייביקע וואַרטן –
 דאָס אייביקע שווימען ביסטו.

טאָ לעבן מיר – גאלדפיל און פאַלמע
 צוזאַמען דאָ אונטערן גלאַז,
 צוזאַמען און אייביק באַזונדער,
 נישט שייך צו פרעגן פאַר וואָס.

Aquarium

The night is a blue-green aquarium
 and you are a minnow of gold,
 while I am a grassy seaweed,
 that wants with you joy to enfold.

But you have your eyes set in unrest
 and I am all rooted in rest.
 You are the eternal swimming.
 I – the eternal nest.

So here we are minnow and seaweed,
 together both under the glass.
 Together, yet always asunder –
 Why then? Just simply: because.

Translated by the author

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Two Baroque Seals of Famous Jews

DANIEL M. FRIEDENBERG

THE SEAL FROM ANCIENT TIMES WAS A MOST IMPORTANT proof of legal authenticity; indeed, in societies where reading and writing were uncommon, and even a king like Charlemagne was illiterate, the imprint of the seal was far more binding than a signature. Jews did not need sealing among themselves, for all internal Jewish matters were settled by Jewish courts; but when dealing with Christians or Moslems the seal was required.

We can discover something about the oldest societies through the symbols used on their seals. As literacy advanced after the medieval period, sealing became less important, but until modern times it remained an emblem of prestige and power. The seal told not only the name of the sealer but showed the owner's place in his society through the devices used. In late medieval Europe the change from Hebrew to Latin or a national language on Jewish seals, as well as the adoption of Christian symbols—including crosses, as incredible as it seems—tells us of the growing integration of Jews into the general culture of certain countries.

This was even more true after the Renaissance, during the Baroque period, a movement that can be clearly seen among the Court Jews, the financial factors of the nobility. The change can best be illustrated by the seals of the two most powerful court Jews of the seventeenth century, Samuel Oppenheimer and Samson Wertheimer.

Samuel Oppenheimer was the greatest Court Jew of the Baroque period and an important figure in European history. His financial support was a major factor in ending the siege of Vienna by the Turks and in their subsequent defeat at Budapest, which forced the Moslems from central Europe.

Born in 1630, Oppenheimer began his career as a financial agent and army contractor for the Elector Karl Ludwig of the Palatinate. He early showed his genius for organization and was recommended to the Viennese court by Margrave Ludwig of Baden, the imperial general in Hungary, to whom he had lent 100,000 gulden. He became contractor for the Austrians in the Turkish War, which began in 1682, and successfully supplied the army, which was under severe straits during the siege of Vienna in 1683. Oppenheimer then organized the building of the fleet of rafts by which the imperial troops crossed the Danube River and freed Ofen (now Budapest). It may be added that the prospects were so dismal for the Austrians that no Christian financier would

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take the appointment; the emperor and all but one member of the high nobility had fled Vienna.

Almost immediately after the victory over the Turks, Louis XIV of France invaded the Palatinate. That same year, 1688, Oppenheimer was made sole military purveyor for Austria. The two field commanders, his old friend Margrave Ludwig of Baden and Prince Eugene of Savoy, praised his efforts: indeed the Margrave wrote the emperor that without his credit, they would have lost. By the end of the War of the Palatinate in 1697, the Austrian state debt to Oppenheimer had risen to a figure between three and six million florins, depending on the writings of different historians. By this time, Leopold I, who disliked Jews intensely and had only very reluctantly appointed him, had learned to appreciate the obvious talents of his Court banker.¹ Now known as the *Judenkaiser* (Jewish Emperor), Oppenheimer was considered the most skilled merchant-banker in Germany since the decline of the House of Fugger.

Exhausted by the recurrent wars, Austria became involved in still another, the War of the Spanish Succession, which began in 1701. Though now an old man, Oppenheimer, aided by his two sons, was again appointed chief factor to supply the imperial forces. Two years later he died, with the Austrian state even more indebted to the firm. Emperor Leopold, whose finances were shaky, refused to honor the debt, forcing the family into bankruptcy. In this case, however, the repudiation led to an economic crisis because many powerful interests had deposited money with Oppenheimer. As Selma Stern wrote in *The Court Jew*, "Great lords and people of rank, princes and princesses, bishops, ministers, even reigning princes, such as those of Mayence [Mainz], Treves [Triers] and Saxony, secretly took part in Oppenheimer's enterprises and placed their capital at his disposal."² Austria had difficulty in securing credit for some time.

The rapid rise and continued power of Samuel Oppenheimer was due to several reasons. The first was his decisive nature, which appealed to the bluff military commanders; in fact, more than once he was saved from disgrace by the intervention of the army leaders in the field, who appealed to the emperor over the heads of reactionary cabals at the court. The second reason was his genius for organization. Oppenheimer created a network of Jewish factors throughout central Europe who owed him personal loyalty, many of them being his relations or those of his well-connected wife.³ One of his sons married a daughter of Leffman Behrens, the Court Jew of Hanover; his brother Moses was the agent of the Elector of the Palatinate; a related nephew was Samson Wertheimer, his cleverest associate in Vienna, as well as the prosperous Gumperts, financial agents in Amsterdam and Cleves.

The third reason for Oppenheimer's success was his close connection with Christian firms. Aside from his secret deals with royalty, many top bankers and merchants openly became Oppenheimer partners. Indeed, this played a vital role in his acceptance by the Austrian emperor. Oppenheimer

must also have had unusual charm, as shown by the fact that the supreme commander in the later wars, Prince Eugene of Savoy, went out of his way during the campaigns to collect Hebrew manuscripts for the financier. These formed part of the David Oppenheimer Library—David being Samuel's nephew—and became the cornerstone of the great Hebrew manuscript collection in the Bodleian Library at Oxford.

The end of all this labor was dust. Samuel Oppenheimer, the *Judenkaiser*, "the Fugger of his time," died with his estate in limbo. The imperial monarch had invented a multimillion-florin claim to offset the tremendous state debt. Samuel's son, Emanuel, was predictably defeated when he brought this claim before the Austrian courts. Emanuel died in 1721, with his property sold at auction in 1733. Emanuel's wife, Judith, passed away in 1738, owning the petty sum of ten florins! And Samuel's grandson died a pauper. The legal wrangling, including suits and countersuits, continued until 1763, when the Oppenheimer estate was finally liquidated.

The seal of Samuel Oppenheimer is an excellent example on several levels of the evolution of Jewish attitudes and values in this period. The medieval seal was legally valid in countries that followed Germanic custom. In the Renaissance the seal became less important, shrinking in aesthetic quality as well as juridic content. The Baroque period, which accented complex detail and decoration, affected sealmaking as it did every other form of art. Seals also became tools of nationalism and moved even farther away from the ecumenical Latin background to which all western and central European countries had formerly paid lip service. Though still used on documents, seals now stressed their new decorative function: rather than being binding proof of legal authority or governmental power, they also became dress accessories, almost another type of jewelry.

Always insecure in the hostile and alien European environment, the rich Jews tried to compensate by showing their integration into this culture. Oppenheimer typified this compensatory attempt at grandeur. His mansion in Vienna was noted for its magnificence. That this mansion was sacked by an envious and hate-filled mob in 1700, in ultra-orthodox Catholic Vienna so weakened by its many wars, might almost be described as just retribution for such temerity; and this overtly anti-Semitic mob action, which would have led to death for the occupants were it not for an underground passageway out, surely did not allay Oppenheimer's anxieties.

The seal of the *Judenkaiser* was a sign of this same desire to be recognized as an equal by the Christian nobility. Born on June 21, 1630, the eve of entering that part of the zodiac in the belt of the celestial sphere with the sign of Cancer (i.e., at the summer solstice), Samuel Oppenheimer adopted for his seal device the crab, which in Latin is the word Cancer.⁴ This itself is indicative of the age. Astrology, which denies free will, was always a strong undercurrent in Judaism, but was opposed by Maimonides, the greatest Jewish theologian of the Middle Ages.⁵ Though still having an underground life and pictured now and then in

early Jewish manuscripts and occult works, zodiacal signs only show up as devices on Jewish seals after the late medieval period. It was the spiritual turmoil of the Baroque period which brought them into repute, following the terrible blows to the European Jewish communities throughout the thirteenth to sixteenth centuries. False messianism, cabalism, and astrology swept over the remnants of Jewry, and the adoption of zodiacal signs for seals is one aspect of this turn to hidden roads to salvation.

The Oppenheimer seal is oval, 25 x 22 mm. On a shield is blazoned the insignia of the crab in imitation of a Christian coat of arms, with curved decorations round; above is a helmet, a symbol never shown on Jewish medieval seals, from which extends another crab on whose sides appear S O, his initials in Roman letters. The shield and helmet are the traditional symbols of a Christian knight. Nothing about this seal is different from one of a Viennese nobleman.

Oppenheimer proudly displayed and used this emblem of rank. Documents still exist with its stamp. Furthermore, when Oppenheimer's portrait was engraved,⁶ this seal became the focal point of the design, in exact mimesis of the style used to depict esteemed Christians in the Baroque period. To emphasize its importance, his left hand rests upon an imprint of the seal on a folded document. Even in death the greatest of the Court Jews coveted the device. On his imposing tombstone, towards the top, two lions support a shield on which crawls the same crab, with the crab appearing overhead again between the initials of his name—however, when written for eternity, the initials appear in Hebrew.

In both life and death, thus, Samuel Oppenheimer mimicked the habits of his aristocratic Christian patrons, of which his seal is merely one example. It was only a step from this point to the next, actual absorption into the Christian community, a step which would be taken by the children or grandchildren of many of his fellow Court Jews. Heinrich Heine, born within the century of Samuel Oppenheimer's death, and who ironically called Judaism not a religion but a misfortune, wrote at the time of his baptism that Christianity was a passport into European society. Though not expressed so coarsely, the seal of Oppenheimer already stamps the way towards this port.

By contrast, Samson Wertheimer, nephew by marriage to Samuel Oppenheimer, was a rare exception among Jews before modern times, a financial titan whose life was crowned by retirement at full flood. The wealthiest Jew in central Europe, honored by all men, this exemplary Court Jew lived to savor the fruits of care and reason. Samson Wertheimer's personality was the opposite of Samuel Oppenheimer's: he was cautious rather than impetuous; he rooted himself in Vienna, building up a web of influential contacts, rather than throwing his energy in many directions; and he concentrated on banking rather than trying to run several businesses at the same time. The truth of the old fable of the tortoise and the hare is illuminated by the contrasting history of these two men.

Wertheimer was born at Worms in 1658, where his learned father was on the Jewish council of the community. Samuel Oppenheimer soon realized the worth of his relative and in 1684 made him manager of the Oppenheimer firm at Vienna. In modern parlance the “inside man,” Wertheimer handled the daily business and maintained the indispensable contacts with court officials. For this he received a yearly salary of 24,000 thalers plus expenses. Though allowed to engage in other private money affairs as well (which had, however, to pass by way of the firm), Wertheimer wisely avoided all speculative contracting in war goods.

When Oppenheimer died in 1703 and Wertheimer was appointed his successor as Imperial Court Factor, he still attempted to separate the financial support of the Austrian armies from speculation in army materials, retiring at the first opportunity while still in control of his own money. The sad end of the Oppenheimer fortune “prompted Samson Wertheimer to retire from business before he, too, had experienced the ‘gratitude’ of the House of Hapsburg.”⁷ By this time his abilities were so widely recognized throughout Germany that he was not only the financial agent of Austria but also served in the same capacity for the Electors of Mainz, Trier, Saxony, and the Palatinate. Liquidating assets to the sum of 1,150,000 thalers, which he conservatively reinvested, he gave up daily business in favor of charitable activities.

In 1719 a Jewish visitor from North Germany wrote that Herr Samson Wertheimer was the most distinguished Jew in Vienna, the city of the richest Jews in Europe; that his house was guarded day and night by ten imperial soldiers assigned to the post by the Emperor; and that he owned many palaces and gardens in Vienna, as well as land and houses in Frankfort on the Main (where he had attended a yeshiva as a boy), his home town of Worms, and other cities of the Empire. Wertheimer died in 1724, leaving intact for his family a vast fortune, calculated by audit at close to 2,000,000 florins.

Samson Wertheimer’s wisdom did not unfortunately extend to his son, who continued lending money to the major European courts. By an ironic twist of fate, which might have been foretold by one familiar with the history of Jewish banking in a time where law for a Jew and law for a Christian were different matters, Wolf Wertheimer went through the same cycle as did Samuel Oppenheimer and which had been avoided by his father. Expanding the business, in 1722 he made an enormous loan of 1,200,000 florins to the Court of Munich. Duped by prompt repayments in the first year, Wolf Wertheimer lent an additional sum in 1723 of 540,000 florins. The repayments slowed and then ceased. There was no way a Jewish banking house could force the Elector of Bavaria to meet a debt, and in 1733 the House of Wertheimer went bankrupt.

A new twist enlivens this history. After much litigation and use of influence by time-tested means, part of the debt was paid. The grandsons of Samson Wertheimer became patented members of the nobility and most of their children paraded before the baptismal font. The learned Samson Wertheimer, who had not only been appointed and confirmed as Chief Rabbi

of Hungary but also bore the title of “Prince of Israel” because he contributed so heavily to monies for the Holy Land, would not have been amused. Yet this passage to the font, as has been noted, was beginning to be a track well worn by the mid-eighteenth century.

The secret of Samson Wertheimer’s success was his clever separation of banking from purveying. Up to this time, the Court Jews—as personified by Samuel Oppenheimer—tended to mix the two businesses together, lending money and supplying goods, acting as both financial agents and war contractors. Speculating in army goods, being most risky, demanded enormous rates of interest; though justified to an extent by the great risk involved, it was visibly exploitive and held in disrepute even when Christian noblemen were the factors. To the masses made poor by the wars, and often desperate merely for bread to keep alive, the sight of the luxury created by war profits led to ferocious hatred only kept in check by absolutist governments.

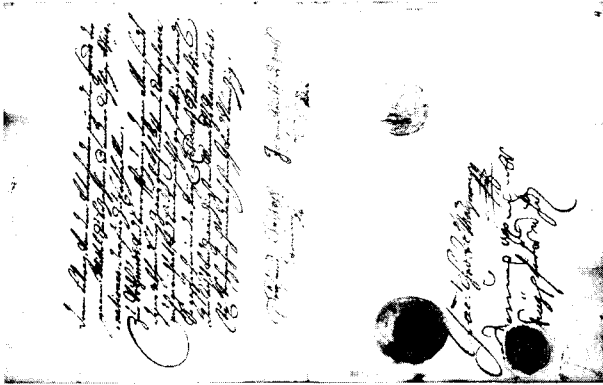
Money lending between Jewish financial agents and gentile noblemen was less hazardous and hence involved lower interest rates. Done at the highest Court levels, it was also not so obvious a target for popular resentment. The Jewish banker therefore was more respected by the Christian nobility and less hated by the people. Samson Wertheimer wrote to the Department of Finance in 1709 at the time of his retirement that in the twenty-four years in which he lived at Vienna he had abstained from war goods speculation despite the large profits because such activity was against his principles and hurt the public treasury. Despite the seed of truth in his statement, it is also probable that he abhorred the great risk and knew it would undermine the good will he had created among the Christian nobility. From 1694 up to his retirement Samson Wertheimer was the chief administrator of the financial affairs of three emperors, Leopold I, Joseph I, and Charles VI, all of whom had vastly different natures but shared a mutual trust in him.

The seal of Samson Wertheimer has even more complex detail than that of Samuel Oppenheimer. 22 x 18 mm., it shows an oval shield with opposing scrolls at top, perhaps in imitation of the double-headed Imperial eagle, long scroll-headed side decorations, and a broad bottom front tail. According to the Austrian State Archives, the image on the shield is a pail or bucket,⁸ though this is not clearly evident. The edge is beaded.

An outer band of letters within the beads is very difficult to read. Under enlargement one can see some. The chief archivist at the Austrian State Archives feels they refer to Wertheimer’s rabbinic honors, with which I agree. The last word is FACT^R, almost surely referring to his official post as agent (FACTOR) for the emperor.

The inner band of letters is even smaller but are stamped more clearly: SAMSON WERTHEIMER, and below, 1699. Since there was an earlier smaller seal owned by Wertheimer according to the Austrian State Archives, it is probable the date indicates when official permission was given to engrave the larger seal. Dating is very unusual on seals.

Geschichte der Stadt Wien, Anton Mayer. Vol. V, 1914.



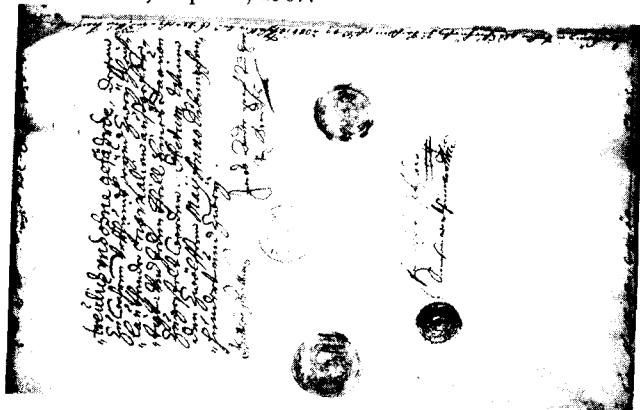
Austrian State Archives, Contract B 525. Ten pages; last page shown, reduced in size. Dated May 12, 1702. Sealed and signed alongside by Samson Wertheimer, bottom left. The Royal Court Treasurer states that the emperor has entered into an alliance with the King of Poland (also the Elector of Saxony) and agrees to pay him a yearly 300,000 guilder subsidy. Wertheimer assumes the payment of these subsidies as well as the Royal debts of the Emperor to the Polish king, which are 238,618 guilders. Wertheimer agrees to accept promissory notes.

Geschichte der Stadt Wien, Anton Mayer. Vol. V, 1914.



Contemporary Painting of Samson Wertheimer.
Unknown artist.

Jewish Encyclopedia, 1907.



Austrian State Archives, Contract B 313. Eight pages; last page shown, reduced in size. Dated Nov. 28, 1695. Sealed and signed alongside by Samuel Oppenheimer, bottom left. Oppenheimer and the Royal Court Treasurer agree that the former will assume the task to recruit the cavalry, supply the Austrian and Hungarian troops, and provide food for the horses. The contract will be 2,370,000 guilders. It is further acknowledged that the Reich owes Oppenheimer 2,375,000 guilders for previous services. Oppenheimer agrees to accept promissory notes.

Jewish Encyclopedia, 1907.



Samuel Oppenheimer.
I. A. Pfeffel and C. Engelbrecht, sculpts. Line Engraving, 20 x 14.

The outer band which seems to list his honorary rabbinates indicates what we know from history, namely that Samson Wertheimer, a pious man, was very proud of these religious titles, especially that of Chief Rabbi of Hungary. The view was shared by his contemporary Jews.

An interesting portrait of Samson Wertheimer painted while at the height of power (and still owned by a direct descendant in the early twentieth century, though its location is unknown to me) shows a large-eyed amiable gentleman holding a pen with his right hand while his left grasps a document on which is stamped the large double-headed seal of the Austrian emperor. "I have come a long way," the portrait speaks almost out loud. "See, the emperor himself allows me to show his seal in my hand."

There is only a track of three generations, despite Samson Wertheimer's loyalty to his religion, from this point to his ennobled Christian descendants. And the seal, so imitative of those used by Austrian noblemen of his age, is a marker on this route.

NOTES

1. Emperor Leopold was among those split-personality rulers who raised individual Jews to the highest state posts while persecuting with ferocity their poorer brothers. In 1670, Leopold expelled the Jews from Vienna during a very cold winter in a barbaric manner, leading to many deaths. It was only in 1676 that he permitted Oppenheimer to resume Viennese residence with a privileged number of dependent Jewish families. This group formed the core of the reestablished community.

2. Selma Stern, *The Court Jew: A Contribution to the History of the Period of Absolutism in Central Europe*, trans. from the German by Ralph Weiman (Philadelphia: Jewish Publication Society of America, 1950).

3. The famous Joseph Suess Oppenheimer, "Jud Suess," though born later, in 1698, was a close relative of Samuel Oppenheimer.

4. We know by the date of Oppenheimer's birth that this is correct.

5. "This science, which is called the decree of the stars . . . is no science at all, but mere foolery . . . and it behooves us never to engage in it" (Epistle to Jonathan b. David ha-Kohen of Lunel). Saadiah Gaon and Abraham ibn Ezra both, however, believed in astrology.

6. Though Sephardic Jews had no objection to portraits, most Ashkenazi rabbis at this time still banned human portrayals as against Mosaic law. That Oppenheimer and other Ashkenazi Court Jews no longer opposed such portraits, but rather pursued them, is another indication of their growing desire to imitate Christian high society.

7. Stern, *The Court Jew*.

8. It is interesting that the pail or bucket appears commonly on Spanish Christian and Jewish medieval seals as well. Perhaps this symbol stood for plenty, abundance, or water as the source of all life.

Nation in a Mirror: Observations on Modern Hebrew Poetry

B E R N H A R D F R A N K

The Movements

IF WE TAKE, AS IS USUAL, CHAYIM NACHMAN BIALIK'S first published poem "To a Bird" in Odessa in 1892 as its beginning, modern Hebrew poetry has only just passed its first centennial. Yet that brief period has already seen several new waves ebb and flow.

During the early 1940s, in the corrugated-tin shed that served as our makeshift schoolroom in Ramatayim, we would recite daily, first from the Tanach, then from the poems of Bialik: for us teenagers he simply *was* Hebrew poetry. Imagine my surprise when, in 1980, setting out to edit *Modern Hebrew Poetry* for the University of Iowa Press, I learned that Bialik was out. Impossible! Unfathomable!

How and why did that great national poet (1873–1934) get dethroned? Perhaps before asking that we need to examine what had placed him on the throne to begin with. Foremost, of course, is the fact that writing in Hebrew, he revived, almost single-handedly, its use in a living literature. Furthermore, writing in the *Galut*, a witness to the Russian pogroms, to the suffering of his fellow Jews, led him to sing impassioned songs:

Come with me to the City of Slaughter, come, enter its courtyards
and with your own eyes see, and with your own hand feel on the
fences

and on the trees, on the stones, on the plaster walls the clotted life-
blood, the hardened brains of the dead.

"In the City of Slaughter"¹

Even when using personal reminiscences, Bialik sang with great power, as we see in the very opening lines of "My Father":

Strange was the manner of my life and wondrous were its ways,
between the pure gate and the tainted shuttled the cycle of my days,
the sacred wallowed in the gross, and innocence in squalor.

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We see both the horror with which the child observes the tavern, full of besotted gentiles—the father’s livelihood—and the latter’s anguish “when he left the bosom of God each morning, the very spring of his life,/ when he put his holy garments aside, his *talit* and *totafof* . . .”

Perhaps inevitably, Bialik absorbed and, in his work, reflected both the power and the sentimentality of the very Russian spirit he decried. An analog was to be found in the acting style of the famed Habima generally, and of its star, Hannah Robina, in particular—the grand gesture, the grandiloquent voice.

It is this sledgehammer technique that turned a younger generation against Bialik. Those of the Palestinian period, sometimes called the Urban poets, led by Avraham Shlonsky, found Bialik’s work too moralizing, too biblical in its language; their emerging spirit of independence did not admit wearing the heart on one’s sleeve. Nor would it admit the Jew-as-victim mentality; this despite the fact that Bialik’s poems, time and again, chastised the devout congregations for their passivity. “Dated,” and “Conservative,” was Shlonsky’s assessment in 1931.

The new school advocated a westernized idiom rather than Bialik’s biblically pure language, preferring subtlety to sentiment, symbol to clarity, and Western sophistication to Eastern European emotionality. It also looked down on the early twentieth century school of the Agrarian, socialist poets, who wrote patriotic songs and celebrated the pioneering spirit. The poems of the best remembered among these, Rachel (Blaustein), were set to music and became the songs of the people. The Urban poets preferred—you guessed it—urbanity, and the angst and despair that came with it.

In “Tonight,” Nathan Alterman (1910–1970) depicts a couple’s failed relationship in terms of a cityscape:

Tonight.
 The tension in these walls.
 A voice wakes and demands. A voice answers and ceases.
 A strange caress. Light of a forced smile.
 The life and death
 of a candle.
 Then the moon coats with masks of wax
 the icy stare, the window, the landscape,
 the market-place resting, paralyzed with stroke,
 in the extended monster-arms of carts and cranes.

Shlonsky (1900–1973) takes urban despair a step further in “John Doe’s Dissertation on His Neighborhood”:

My apartment building has 5 stories—
 but for her who leapt from the window opposite
 3 were quite enough.

And Leah Goldberg (1911–1970) links urban angst with the infirmity of old age in “On the Hazards of Smoking”:

Rainy morning. Don't get up. Don't even smoke.
Don't read too much. Isn't it a queer spring!
Isn't it a queer spring! Darkness in the morning as though . . .

Every wave has its backlash, and the Palestinian poets too were presently deposed by those of a younger generation led by Nathan Zach and including such diverse talents as Yehuda Amichai, Dan Pagis, Dalia Ravikovich, and David Avidan. Sharing more aversion to the older school than any artistic dogma of their own, these poets urged “a withdrawal from certainty” and the use of irony. Both can be found in Amichai's “My Father”:

And in his eyes he gathered the nameless dead,
A multitude of these he gathered in my name,
That in his glances I might recognize and love them

And not perish likewise in mortal dread . . .
He stuffed his eyes with them and yet he erred:
To all my battles am I alert.

Intellectuality now blended with surrealism, as in Pagis's “The Elephant”:

. . . he steps on sixteen marvelously precise wristwatches
puts four to each foot,
and glides on them with ease as though on skates
right out of his elephantine lot.

And in Ravikovich's work, private landscapes of the unconscious go hand-in-hand with feminism, as in her poem “The Dress”:

What will become of you, she said, they sewed you a flaming dress.
They sewed me a flaming dress, I said, I know.
Then what are you waiting for, she said, be cautious,
Don't you know what a flaming dress is?

I know, I said, but not to be cautious.
That erstwhile fragrance confounds my sanity.
I told her: No one need agree with me
I don't put stock in Greek tragedies.

Poetic justice has its way, and the deposed, once again, became the deposed. The next wave of younger poets, among them Me'ir Wieseltier,

Pinchas Sadeh, Yonah Wallach, and Ya'ir Hurvitz, advocated a return to style along with a looking outward instead of in. It has been suggested that these poets have returned full circle to the artistry of Bialik, yet history's circles are never closed; at best they form a spiral. The younger poets' "meaning-be-damned" attitude is hardly reconcilable with Bialik's literalness.

The bird constructs the sky with her light, distills
a pure warmth onto the light,
her festival fruit, kindling bluish in its pool
out of the seeds' darkness. I dream
of the broken rock surfacing from water,
espy the rivulets
on a clear night.

In this, Hurvitz's "On a Clear Night," style and image prevail over meaning. And in Wieseltier's "Caution Prevents Accidents," style merges with the politics of engagement:

Cautiously the Prime Minister convened with the Minister of Defense

Cautiously the Minister of Defense briefed the Air Force
Commander.

Cautiously the pupils removed their bicycles from the rack.
Cautiously the greengrocer maneuvered between the fruit and the bee.

The poem, after twenty-five lines of assorted caution, ends ironically with, "A strange quiet like that we haven't known in ages."

The Themes

When there are so many short-lived alternating layers of movements, it is more than likely that they will collapse like a soufflé once the oven door admits the cold air of perspective. We can already see that poems treating the same theme often surmount the vagaries of the style-of-the-year. Not only do the mournful voices depicting the holocaust have much in common, they also echo Bialik's deeply felt response to the Pogroms.

Uri Zvi Greenberg (b. 1894) depicts the destruction of European Jewry via a violent image:

Even the birds themselves don't know who cut off their wing.
Lo and behold, as they fly through the air
tilting to one side. . . .

Not even blood dripping, nor memory of when a pair
of wings per bird made passage fair.

“The Cutting Off”

Here is Abba Kovner (b. 1918):

Our father has taken his bread, thank the Lord,
out of the same oven for 40 years. He never dreamed
that an entire people could end up in the ovens
and the world, by the grace of the Lord, go on.

“My Sister Sits Smiling . . . ,”²

and, Itamar Ya’oz-Kest (b. 1934):

Railway car.
The landscape is startled. Embarrassed
it turns its pages: tree, sky, tunnels—

And in the car the laughter of the guards collects,
the head of a beast sprouted on the neck.

“Ordeal by Fire”

Although Kovner is more direct, Ya’oz-Kest more symbolic, their voices
share the pain *and* the anger.

The various poets also share a tone of deeply felt love for the Israeli
landscapes:

The sun merely exudes its jasmine,
The stone merely has the heartbeat’s voice,
The sunset merely is tinted orange,
The sand merely like lips that kiss.

Leah Goldberg, “Chamsin of Nisan”

and,

Silent, silent evening passes
through tree and heart. The earth
abandons its face to the sky’s blessing and the wind
exhaling cold scatters
the darkening magic in turning leaves and heralds
for aspiring seedlings the coming
of water to thirsting roots. . . .

Hurvitz (b. 1941), “For My Love Rising Early”

Although Goldberg rhymes, and employs clear metaphors, while Hurvitz relies on rhythm, more cluttered lines, and a touch of the surreal, they share their affection for the land. And that affection is never more in evidence than when the poets are writing from abroad:

The herons have returned to Lake Hula,
to the reed thickets and ditches which keep on
trickling, despite both drainage and dreams.
Bird-watchers say that rare swamp birds are there now
and can be sighted.

Here, however, the metallic trees freeze in
tame shades of grey and white . . .

Moshe Dor (b. 1932), "The Herons Have Returned"³

Love for country and memory of past atrocities unite into powerful song when the poets speak of the Arab-Israeli conflict, of war. In "The Diameter of the Bomb Was Thirty Centimeters" Amichai's voice is prosaic as it rattles off a catalogue of consequences:

. . . the diameter of its hitting range about seven meters
and within it four dead and eleven wounded.

.
And I won't even mention the cry of orphans
which reaches the throne of God
and from there onward making
the circle endless and godless.

"I won't even mention"? But oh, he does, and hits his point home—more subtly, but no less bitterly, than Bialik's primal scream in "On the Slaughter":

Ah, Heavens, intercede for me!
If a god in you there be, and he hold concourse among you
(He has eluded me)
Then you must pray for me!

And love poetry, of course, has always transcended both trend and time, though it tends to divide along the gender line. Here is Esther Raab (b. 1899):

My arms are raised towards you,
towards the modicum of light
your glance still holds for me,

and you flash your teeth
at my jaundiced tender flesh . . .

“My Arms Are Raised towards You . . .”

and Dalia Ravikovich (b. 1936):

That night I was a mechanical doll
and turned left and right, to whichever way,
and landed on my face, and broke in my fall
and they tried to piece me together artfully.

“Mechanical Doll”

The inescapable masochism and defeatism of Raab’s poem is echoed, oddly enough, in feminist Ravikovich’s. And while the older generation’s Raab writes in free verse—offering a subtle touch of liberation, the younger generation’s Ravikovich employs the confining sonnet form. So much for generalizations about poetic movements.

As for the male poets, their tendency is to *celebrate* love, though not without a touch of skepticism:

In the past
—just as now—
there were a million women
in this
—innocent or whoring—
world
.....
let him take—for my part—all of them
to the last
the whole of that amorous
million
I somehow need
only that particular
one

I’m somehow prepared
to make do—

Yonatan Ratosh (b. 1909), “A Million”

The very form, in its freedom, may contradict the monogamous protestations of the speaker, lacing his admiration with a soupçon of mischief. And Yehuda Amichai (b.1924):

For my beloved, combing her hair without mirror across from me,

a song: You've washed your hair with shampoo,
an entire pine forest homesick on your head.

.....
Under us the earth trembles, Beloved.
We'll lie clasped together, a double lock.

Again we find a flicker of mockery—in the biblical opening, in the hyperbole of the scent emanating from the beloved's hair, and in the final sexual image.

The Constants

The diagram of movements coming and going has, happily, a vertical margin of poets who transcend it and who, while adapting a novel form here and there, a certain new technique, still retain their voice, remain true to themselves.

Born in 1932, in Tel Aviv, Moshe Dor had espoused Zach's dictum of "the withdrawal from certainty." How can the father instill a sense of security in his son, when,

I am at a loss on this very street
whose houses and gardens are arranged coffee-table neat
yet my hand is in my son's hand and his glance is anchored in my
face.
That his boat may not budge I pretend to bravery and manners.
"At a Loss"

Dor has no answer. Yet he does not hesitate years later, while dealing with another insecurity—that of aging—to employ meter and rhyme:

Babe, this isn't how I'd pictured our life
when, burnt-to-golden by the Mediterranean,
we swallowed the distance like twenty-year olds,
eyes blinded by fire and yearning.

Now the world is a Flemish painting,
and we are in it, in oils of somber hue;
If right now an angel rapped on my door,
I wouldn't even comprehend God's news.
"Flemish Painting"⁴

Eli Nezer was born in 1933, in Budapest. Although he has served in various cultural capacities abroad, the fact that he has lived in Kibbutz Dalia ever since his arrival in Israel in 1949 lends his poetry an enviable serenity and even his irony is muted. "I take my old clothes out of the cupboard and deck/ my body with them. My old clothes are really my best," he writes in "My Best

Clothes.” Why? because they are redolent with fond, even sentimental memories. Sentiment, says Nezer’s poetry, is OK.

Zafira Gar, who was born in Petach Tikva in 1926, has sung for decades without fanfare. Her work branches off into two distinct styles. One of these employs striking and often antithetical imagery—light, especially sun, and darkness; life and the inanimate; apple and worm.

In “A Spot on the Sun” she describes an eclipse:

We’ll steal another
look—
then look away.
For a long moment,
against scalding
eyelids
we retain
the margins of the sun
which burn
like white-hot iron
from under a cloud,
before it will sink and be gone.

Gar’s other style bears intimations of both Walt Whitman, and of her younger contemporary, Dalia Ravikovich. Here she adopts various personae—a small-time actor, an urchin, Alice in Wonderland:

Look at me!
Frigid quicksilver!
How I keep dwindling
while my neck stretches like a ladder.

.....
I’ve seen all I wanted to know—
in the playing-card garden the cardboard armies marched
and the Queen ordered whomever disobeyed her
beheaded—I’ve seen it to the bitter end.

“Alice Addresses the Looking Glass”⁵

The style is flat, almost prosaic. Characterization replaces the vivid image.

Born in 1922 in Romania, M(anfred) Winkler came to Israel in 1959, already somewhat established as a poet in what he has called “the murderers’ tongue”—German. In another circle that almost closes, he has recently resumed that practice and, this fall, gave a reading in Munich. Yet it is his Hebrew oeuvre that is imbued with a great intensity. He is the poet of sensibility; pain and sadness envelop much of his work. Even a poem of nostalgia ends on a dark

note in "The Evening Closes over Me": "The night closes over me like a black seashell,/ fish lapping at my flesh." When he sings of the white tulips that "are about to die/ and none will save the white tulips from that vast drought" ("The White Tulips"⁶), he is, in the best *symboliste* manner, reflecting on the death of so many young Israeli soldiers. The influence of that other Jewish-Romanian poet, the great Paul Celan, is pervasive, never more so than in the holocaust poem titled, appropriately, "Notes from a Motif by Paul Celan":⁷

In the ox-cart
they led your parents
to a place that wasn't,
beyond the final Sabbath.

Chasidim dance in the heavens,
no talking there,
the words are silent there,
there are no overcrowded quarters.

Lastly, harking back to an earlier generation, there is Shmu'el Shatal (b. 1913 in Pinsk) who came to Palestine in 1929. An architect by profession, it is fitting that his *idée fixe* should be stone, rock, in its raw and sculpted forms.

Stone toying with wind
conceived and bore the wind
from its eyes a pale flower.
I pluck.

"Winter"

His most recent volume of poetry, not surprisingly, is titled *Stone*. Yet Shatal, now in his eighties, still writes, with something of a twinkle in his eyes, of love and lust: Every King David, he notes, must have his Abishag, even if only to dream about and admire.

Let me conclude with a brief homage to the five constant voices, personal favorites of mine among the many distinguished bards now singing in the Holy Land.

5 SINGERS/ 1 DRUMMER: An Homage

I. Moshe Dor

In a Flemish painting
poised against Eternity
you dream of sun-
lit beaches,
aburst with perpetual
motion: the frame is
heavy, the hues dark.

II. Eli Nezer

Moths have invaded
your old clothes, but
you keep wearing them;
the memories keep us
warm.

III. Zafrira Gar

Oh, Alice in Wonderland,
where the mad hatters shoot
the rabbit & the dormouse
is an Arab spy: Your
neck extends like the tulip's
to the sun
& you sing.

IV. M. Winkler

In the seashell at your ear
the past crashes its waves,
withdraws—leaves that
desert landscape you love—
dotted with the bearers
of pain & infinite news.

V. Shmu'el Shatal

STONE: the end & the
beginning. You build
poems/bridges/houses
for us. You sculpt life
into tolerability. Thank you.
Bernhard Frank

NOTES

1. All quotations translated by Bernhard Frank and, unless otherwise indicated, are from *Modern Hebrew Poetry*, University of Iowa Press: Iowa City, 1980.
2. *Colorado Review*, Fall/Winter 1988, p. 74.
3. *Webster Review*, Fall 1994, p. 12.
4. *Poetry East*, Spring 1995, p. 25.
5. Forthcoming in *International Poetry Review*, Fall 1996.
6. *International Poetry Review*, Spring 1993, p. 11.
7. *Folio*, Winter 1994, p. 26.

Jews (in Theory): Representations of Judaism, Anti-Semitism, and the Holocaust in Postmodern French Thought

M I C H A E L W E I N G R A D

THE INFLUENCE OF FRENCH THEORY—THAT CONGLOMERATION of postmodern thought which includes semiotic, deconstructive, psychoanalytical, and post-structural anthropological approaches to the analysis of art, politics, and culture—has had an overwhelming impact upon departments of literature and cultural studies in the United States, though it has not as yet similarly marked Jewish Studies. Yet, while the latter remains uncertain about or unconcerned with Theory—I use the uppercase T audible in literature department hallways—the reverse is not so true: postmodern French thought displays a remarkable, if eccentric, interest in matters Jewish. Every major contemporary French theorist has made some study of or pronouncement upon the Jews and their place in the West. This means that in literature and cultural studies, where the influence of French post-structuralist thinkers is so immense, with many of the most widely read works of Theory focusing on aspects of Jewish history and thought, a strange sort of “postmodern Jewish Studies” has become a central part of the scholarly discourse.

The texts shaping this discourse display three disturbing characteristics. First, Theory tends towards a surprising level of abstraction and reduction. Its treatments of Jewish history are marked by an extreme ahistoricism, with the details and specifics of Jewish life, thought, and culture glossed over or ignored in favor of reductive schema. In these works the Jews themselves become ethereal, reduced usually to a single philosophical principle or merely symbolic value that is put forth as their “essential nature.” By contrast, in most other areas of study the influence of Theory has led to a deep skepticism concerning all essentialisms. Secondly, there is a lamentable lack of knowledge on the part of most theorists concerning Jews and Judaism. They simply do not know much about their subject. Moreover, these first two characteristics prepare the ground for a third problem: the reinscription of old ideological biases about Jews. Theorists are not sufficiently aware of the long history of discourse about Jews, and so, unable to critique their own ideas, they reimport timeworn baggage. Consequently, in

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what is supposed to be the intellectual cutting edge, we find Jewish stereotypes not only unquestioned but presented as critical analysis.

These problems are central to the work of three major theorists—Jean-François Lyotard, Julia Kristeva, and René Girard—though not limited to them. These highly influential thinkers have all written on Jewish subjects, and their work is representative of the serious flaws in analyses of the Jews and their history prevalent in Theory. Lyotard constructs a postmodern pseudo-Judaism that confirms his own political preferences at the expense of engaging real Jews and real Jewish culture. Kristeva's focus on a single psychological principle to explain all of religious history leads her to ignore basic and crucial details of that history, while her commitment to celebrating what has been repressed—common in much of Theory—comes dangerously close to condoning anti-Semitic impulses. Girard attempts to resuscitate orthodox Christianity as Theory, and this takes him out of the realm of scholarly debate and into the very one-sided realm of a medieval dogma that was never able to engage the Jews in honest dialogue. In what follows I present critical readings of each, focusing my discussion on their treatment of Jews and Judaism. Glossing the highly technical, and somewhat idiosyncratic language used by theorists, I hope to make their ideas accessible to those outside the guild.

The number of French theoretical treatments of Judaism is itself an interesting phenomenon, though not entirely surprising. First, there is of course a tradition of French intellectuals engaged with the Jewish Question, neither Emile Zola nor Jean-Paul Sartre needing to wait for postmodernity to take up the issue. Second, the uncomfortable question of French collaboration with the Nazis during World War II makes the place of the Jew in Europe an issue with deeply personal resonances for the French intellectual of good conscience. And in the case of Theory, philosophical stances as well as political ones are embroiled in this history. That is, French theory developed alongside the rise of European fascism, and the relationship between this thought and this history continues to be a pressing and tangled subject. The recent “French-Heidegger Affair”—those debates concerning the extent to which Heidegger's political choices affect the French philosophy he so profoundly influenced—is an illustration of the unease surrounding the possibility of Theory's implication in modern barbarity.¹ Third, French theory is an intellectual project critical of the philosophical heritage of the Enlightenment. This makes the Jews—whose entrance into modern European thought is inextricably bound to the history of the Enlightenment—a topic of necessary interest for the theorist. Michel Foucault is not the first or only thinker to note the connection between *Aufklärung* and *Haskalah*.² A fourth reason for Theory's interest in Jews, and the one that has received the most attention, is the influence of various Jewish thinkers upon French theory, from the Talmudically educated Emmanuel Levinas, to more marginal Jews such as Theodor Adorno and Jacques Derrida. Finally, French thought displays profound religious influences; French Catholicism makes itself felt in even heretical thinkers such as Georges Bataille.

Because of this Catholic influence, we might be led to expect frequent considerations of questions involving theology and religious history.

While these reasons may account somewhat for the frequency of theoretical interest in Jewish issues, they do not explain the intellectual complacency and bias that mark much of this interest. This is not a productive situation, especially as Theory is often taken by American academics for a critical tool in the analysis of history and culture, and not as an occasionally flawed or biased facet *of* that history and culture. In addition, as literature departments have in recent years shifted their attention from purely textual concerns to political-cultural ones, emphasis has increased on those thinkers who deal with issues of power, violence, political barbarity, and the treatment of minorities—and the Jews are often the test case and central example in works by these thinkers. Yet Theory's intellectual sloppiness in this area reproduces past errors, and makes room for the return of racist, anti-Semitic language. In order for the encounter of Theory and Jewish studies to be a useful one, the former must be approached critically and contextualized as part of a history of discourse about Jews and Judaism. Theory's own best tendencies—its resistance to idealism and essentialism, its attention to the way in which truths are culturally biased, and its probing of the politically and ideologically charged content of art, thought, and culture—must be doubled back on its own investigations about the Jews.

Lyotard: The Jews and “the jews”

Jean-François Lyotard has been instrumental in giving the term *postmodernism* its intellectual currency. He has also taken a serious interest in the status and nature of the Jews, giving them a central, if questionable, place in his conception of postmodernism. Lyotard concerns himself with what he sees as the genuinely unique character of the Jews and the difference between their tradition of thought and the thought of the Greco-Christian West. However, he defines this difference by looking beyond Judaism to its “idea.” In ahistorical, theoretical—we can even say idealist—fashion, Lyotard abstracts a Jewish “essence,” and sets it off with quotation marks, as we see in his book, *Heidegger and “the jews.”*

Of the two subjects in this book's title, the second is by far the more important, and certainly the more conspicuous. The larger part of the book, which was written in response to the Heidegger affair, concerns an entity Lyotard calls “the jews” and its place within the metaphysical and psychic structures of the West. Heidegger is a secondary concern, confined to a few chapters. Thus, the real subject of Lyotard's treatise is an otherwise familiar term placed throughout his book in quotation marks and lower-case letters. Lyotard's term, as we will see, is very ambiguous. Although he makes his “jews” pivotal for his theoretical understanding of Judaism and anti-Semitism, the term reflects the necessities of his own philosophical position more than it does

any real critical encounter with the religion or political history of the Jews. Lyotard repeatedly distinguishes between his “jews” and actual Jews, and with some justification. The term “jews” does not signify any traditional, *halakhi* Judaism; “jews” seem to participate in a general ethical stance or attitude, rather than some set of ritual requirements or moral strictures. Thus, both Jews and Gentiles can potentially be “jews.”

Nevertheless, “jews” are central to Lyotard’s theories about Jews. At many points in Lyotard’s discussion, “jew” and Jew become interchangeable, as the difference between them diminishes or collapses entirely. In part this is because Lyotard obviously intends the defining characteristics of “jews” to echo what he understands to be key aspects of Judaism, such as the uniqueness of God, and the perceived connection between monotheism and ethics. Furthermore, the “jews” are repeatedly contrasted with Christians and pagans (neither of which bear quotation marks), while all of Lyotard’s examples of “jews” are Jews.³ And perhaps most indicative of the connection between the two, Lyotard argues that real anti-Semitism is a result of the West’s antipathy towards “jews.”

What Lyotard has done is to extract a Jewish “essence”—based mostly on a thin conception of Judaism he seems to have constructed from readings of Levinas, Derrida, Adorno, Kant, and, antithetically, Hegel—and to use this as the basis for the construction of his ideal postmodern “community.” The result is a strange book. While at times rewarding, for example, in its perceptive critique of Heidegger, and its moving insights into Freudian concepts, its ultimate advocacy of “the jews” as postmodern good-guys is hardly flattering, since it (1) displays little concern for or knowledge of the intricacies of Jewish thought and history, (2) redefines Judaism along the lines of a nineteenth century universalist model without questioning the ideology behind such a redefinition, and (3) has little use for those Jews who do not fall within this model. Lyotard’s “jews” are the people whose duty it is to remain in exile, spreading the word of Kant to the four corners of the world—making Lyotard sound like a kind of postmodern Hermann Cohen. This is an uninformed philosemitism, with its own questionable ideological baggage and political consequences.

“The jews” and the Other

The ambivalence of the distinction between “jews” and Jews is indicated at the book’s start, when Lyotard presents us with the following explanation for his unorthodox typography:

I write “the jews” this way neither out of prudence nor lack of something better. I use lower case to indicate that I am not thinking of a nation. I make it plural to signify that it is neither a figure nor a political (Zionism), religious (Judaism), or philosophical (Jewish philosophy) subject that I put forward under this name. I use quotation marks to avoid confusing these “jews” with real Jews. What is

most real about real Jews is that Europe, in any case, does not know what to do with them: Christians demand their conversion; monarchs expel them; republics assimilate them; Nazis exterminate them. "The jews" are the object of a dismissal with which Jews, in particular, are afflicted in reality.⁴

Here is a curious mixture of abstraction and specificity. Lyotard explains that we should not confuse the "jews" described in his book with real Jews. "The jews" are not to be taken as a political, religious, or philosophical entity. However, he also tells us that it is precisely real Jews who suffer the misfortunes of "the jews." What, then, is the difference?

According to Lyotard, "the jews" constitute the radical "other" in the West. I must pause here, however, and dispel some misunderstandings that have arisen from this proposition. Some of Lyotard's American commentators hear that "the jews" refers to otherness, and so take "the jews" to be Lyotard's shorthand for oppressed minorities everywhere, neglecting the direct connection Lyotard draws between "jews" and Jews. Such a misinterpretation is made particularly evident on the back cover of the English language edition of Lyotard's book, in a blurb which incorrectly informs us that Lyotard means his term "to represent the outsiders, the nonconformists: the artists, anarchists, blacks, homeless, Arabs, etc.—and the Jews." This advertisement perhaps appeals to the multicultural climate of the contemporary university, but it elides the direct relation that Lyotard establishes on the first page between "jews" and Jews. Alan Milchman and Alan Rosenberg make the same mistake in "The Unlearned Lessons of the Holocaust," an essay which enlists an extremely superficial reading of Lyotard and fellow theorist Philippe Lacoue-Labarthe in order to make the argument that there is "an indissoluble link between modernity and the Holocaust."⁵ In the course of their essay, Milchman and Rosenberg argue that

Lyotard deliberately writes "the jews" in quotation marks and lower case to distinguish them from the real Jews, the followers of the Mosaic faith. For Lyotard, "the jews" are the embodiment of alterity, the Other, scorned as such, murdered as such, exterminated as such, who are sometimes real Jews, as in Nazi occupied Europe, and sometimes not. In Germany today, the Turks are "the jews"; in France, it is the Arabs; in Iran, it is the Bahai or emancipated women; in Hindu India, it is the Muslims and Sikhs; in China it is the students and "cosmopolitans."⁶

Milchman and Rosenberg have misrepresented Lyotard's argument; "the jews" may be an "Other" but not all "Others" are "jews." Rather, "the jews" have a great deal of specificity; they are not "Bahai" or "emancipated women." In fact, an examination of Lyotard's book indicates that "the jews" are modeled very closely upon Lyotard's notions of "the followers of the Mosaic faith." Lyotard defines the "jews," not by their alterity, but by a set of theoretical propositions that approximate a kind of Jewish monotheism and its ethical formulations, as I will now explain.

“The jews” and the Forgotten

From the start, Lyotard defines “the jews” as those who bear witness to what Lyotard calls “the Forgotten.” This “Forgotten” functions a bit like a God concept—it is the “unnamable in the secret of names,” that which cannot be represented—although Lyotard does not define it as such. Instead, he writes: “The Forgotten is not to be remembered for what it has been and what it is, because it has not been anything and is nothing, but must be remembered as something that never ceases to be forgotten. And this something is not a concept or a representation, but a ‘fact,’ a *Factum* [Kant’s term]: namely, that one is obligated before the Law, in debt.”⁷ The Forgotten, that which is beyond concept and representation, is experienced as obligation “before the Law.” The “jews” bear witness to what cannot be represented, what cannot be contained in (is “forgotten” by) any philosophical schema, and they do so through a sense of justice and ethical obligation.⁸

While this theoretical construction strongly resembles modern reformulations of Judaism such as those made by Hermann Cohen and Emmanuel Levinas, Lyotard does not appeal to Jewish scripture, tradition, or religious categories but instead grounds the Forgotten in Freud and Kant.⁹ However, Lyotard does not explain how Freud’s “unconscious affect” and Kant’s “sublime” give rise to the “fact . . . that one is obligated before the Law.” Theoretically, all of us experience, or can experience, primary repression and/or the sublime. Yet who, because of such experiences, says to him or herself: “I must now behave ethically, for I am indebted to the Law”? What would “the Law” even refer to in such a physiological or aesthetic context? In this “obligation before the Law,” Lyotard wants to describe a kind of “listening,” an ethical receptivity that is both prior to—and the basis of—ethics. He finds a model for this ethical space in his own version of “Jewish tradition” (that composite of remarks by Levinas, Hegel, Kant, Derrida, etc.). Yet Lyotard’s translation of Jewish Law into secular, theoretical terms is not convincing: can one derive an ethical stance from Freudian psychology and Kantian aesthetics? Lyotard himself argues that a prescriptive stance cannot be derived from a denotative in our postmodern age.

Pagans, Christians, Jews, and “jews”

Whether this obligation works or not, it is the basis of “jewish” distinctiveness. According to Lyotard, the “jews” constitute a break with the pagan-Christian West. They are the unassimilable and unassimilating, refusing recourse to the shortcuts of Christian sacrifice and Greek dialectic in their devotion to the unrepresentable. Echoing an election theology (though of course he opposes such theologies), Lyotard describes them as a “people [that] is taken hostage by a voice that does not tell it anything, save that it . . . is, and that all representations and naming of it are forbidden.” In their resistance to the forgetting of the Forgotten, “the jews” resist the West’s “foundational thinking,” its “will,” its

"accomplishments," its "obsession to dominate."¹⁰ The "jews" defy systems (philosophical, political) in their devotion to what systems cannot contain. (We can see in this definition of "judaism" the strong hand of Derrida.) Moreover, Lyotard argues vociferously against the misuse of the term "Judeo-Christian," as he emphasizes an irreducible theological and historical difference between "jew" and Christian, between Jewish theology (a theology of the unrepresentable, of waiting) and Christian theology (which is incarnational, of preaching).

Even Heidegger's thought is seen as falling within a pagan-Christian tradition.¹¹ More than any other twentieth century philosopher, Heidegger tried to be attentive to what Western philosophy forgets, represses, leaves out. Yet he finally posits this unrepresentable as "Being," and so represents it: it is a form of idolatry. Heidegger tries to make the unrepresentable "signify"; he tells us how to experience "correct listening" to "Being." Thus, he creates "an 'aesthetics' of the memory of the Forgotten," thereby lapsing into a "pagan-Christian tradition" of "fetishes," "myth," "geopolitics," "geophilosophy"—he ties the Forgotten to "blood and earth."¹² Heidegger's "god is merely pagan-Christian, the god of bread, wine, earth, and blood."¹³

However, Lyotard does not only distinguish between "jew" and Christian. He also emphasizes the difference between "jew" and Jew. He insists, for example, that "jewish thought" is not to be taken for Jewish monotheism: "It is neither monotheism nor creationism that makes exceptional the thought of 'the jews.' The desire for the One-All excites the spirit of the most ancient Greeks no less than that of the metaphysicians and physicists."¹⁴ Yet here Lyotard confuses Jewish monotheism with the "desire for the One-All," an identification with which many Jewish thinkers would disagree. After all, Jewish monotheism is hardly Platonic or Hegelian, or even Spinozan. Jewish monotheism resembles a "desire for the One-All" less than it does Lyotard's witnessing the Forgotten, a devotion to the uniquely unrepresentable and the burden of justice it lays upon us.

Yet Lyotard is so insistent that we not identify "jew" with Jew that at one point he even posits an *inverse* relationship between the two, arguing that "the Jews (without quotation marks) are not less, but rather more exposed than others (they are 'stiff-necked') to forgetting the unnamable. Every Jew is a bad 'jew,' a bad witness to what cannot be represented, just as all texts fail to reinscribe what has not been inscribed."¹⁵ Jews are bad "jews" because, as for Heidegger, "the jew's" very witnessing of the unrepresentable puts him or her at the perpetual risk of attempting to represent it. This implies that, as "jews" are better Heideggerians than Heidegger, French deconstructionists are better "jews" than the Jews. And in fact Lyotard observes that the French are particularly sensitive to the Forgotten, because their literary tradition has for so long "testified to the fact that the real objective of literature . . . has always been to reveal, represent in words, what every representation misses, what is forgotten there." According to Lyotard, "it was France that found itself in charge of a thinking of the immemorial."¹⁶ One could construe this to mean that

the French post-structuralists are the new “jews”—a fascinating and rather Pauline placement of deconstruction, to be sure.

Such logic testifies less to any deconstructive perversity on Lyotard’s part than to his distrust of rigid communities. Committed to a postmodern disdain for essentialized communities, Lyotard wants to attack Heidegger’s notion of a people without quotation marks, a *Volk* bound by blood and soil. To Heidegger’s people Lyotard opposes his “jews”: “this nonpeople of survivors, Jews and non-Jews . . . whose Being-together depends not on the authenticity of any primary roots but on that singular debt of interminable anamnesis,” and whose “only lot [is] the lot of forgetting neither that there is the Forgotten nor what horror the spirit is capable of in its headlong madness to make us forget that fact.”¹⁷ As central examples of such “jews,” Lyotard promotes a short list of German-Jewish exiles: “In opposition to the [Heidegger’s] return to this promised Germania: Freud, Benjamin, Adorno, Arendt, and Celan—these great non-German Germans, non-Jewish Jews—who not only question but betray the tradition, the *mimesis*, the immanence of the unfolding, and its root; whom emigration, dispersion, and the impossibility of integration make despair of any return; exhausted by the dual impotence of not changing and changing, of remaining German and becoming French, American; citizens for whom the city is not a village (as it is for Breton); expatriates obliged to judge because they are judged, without knowing from whence. . . . Expelled, doomed to exodus.”¹⁸

Thus, we arrive at a reprise, perhaps more philosophically directed, of the usual arguments in favor of Jewish Diaspora culture over nationhood, Jewish rootlessness over rootedness, cosmopolitanism over provincialism, universalism over the particular. Exile becomes the Jewish ideal, and Jews are necessarily judged more harshly than others for failing to live up to this ideal: the “stiff-necked” Jews are “more exposed than others” to the failing of being insufficiently postmodern and exilic. It is telling that Lyotard, the proclaimer of postmodernity’s ending of all grand narratives, should reinscribe here the very old narrative of the Wandering Jew.

Such arguments are common enough in French theory and elsewhere, and certainly imply at least an ambivalence concerning Zionism, and a strong fetishizing of Jewish exile. This stance is writ large in “Diaspora: Generation and Ground of Jewish Identity,” an article by Daniel and Jonathan Boyarin that begins by critiquing Lyotard’s Jewish abstractions only to champion them even more rigorously than Lyotard by giving them explicit political direction. The Boyarins call for the dismantling of Israel, and justify this through their notion of a Jewish “essence,” which is, they maintain, thoroughly Diasporic. Despite their notable grounding in Jewish scholarship, the Boyarins’ work is informed by the abstracting, essentializing, and ahistoricizing tendencies of Theory’s “jewish studies.” The Boyarins believe they have determined a “true” Judaism, which is devoid of both national and hegemonic aspirations, and which is revealed through a reading of traditional Jewish texts. They maintain that

Zionism can only be a racist, warlike perversion of this “correct” Judaism. In this rather Manichean schema, historical context disappears. For instance, the Boyarins assert that antinational strains in the Talmud are the result of a conscious decision on the part of the rabbis to forgo political power so as never to oppress the “other.”¹⁹ This would have been a beautiful self-sacrificial gesture on the part of the rabbis, certainly. However, what is not mentioned in this argument is the existence of the Roman empire; some sort of calculated appeasement, or even lack of choice, may have been involved in this renunciation of Jewish hegemony. Furthermore, the Boyarins are so concerned with the “real, immanent danger” of Israel’s becoming a Third Reich²⁰ that, when they “propose Diaspora as a theoretical and historical model to replace national self-determination,”²¹ they are a bit quick to abstract away the problems faced throughout history by stateless Jews. Of those problems, which of course include the Holocaust, the Boyarins only note in passing: “We would certainly claim that there have been historical situations in which they [Diaspora conditions] obtained without success in this radically imperfect world.”²²

Kristeva: Abjection and the Jews

Julia Kristeva, who combines semiotic and psychoanalytical approaches in her work, has had a profound influence on contemporary feminist thought in France. She has also engaged in an analysis of anti-Semitism in her book, *Powers of Horror: An Essay in Abjection*. According to Kristeva’s theories, and in contrast to Lyotard’s, the alien irritant that disrupts systems is not Jewish but pagan.

Like Freud and many others, Julia Kristeva belongs to the school of thought that explains modern Jew-hatred as an atavistic pagan resentment of Judaism’s imposition, through Christianity, of monotheism and moral law.²³ Though Kristeva draws on the psychoanalytical ideas of Jacques Lacan, an overly Hegelian conception of religious history, and Georges Bataille’s theories concerning abjection, her religious history contains oversimplified conceptions of both Judaism and Christianity. But most problematic is Kristeva’s concluding celebration of the very powers of horror which she argues are the cause of violent anti-Semitism. In this, she flirts with the anti-Jewish ideologies that blame Jewish monotheism for stifling the liberating energies of paganism.

As the title of her book indicates, Kristeva’s analysis of religion centers on the religio-psychoanalytical term, “abjection.” Indeed, according to Kristeva, a consideration of abjection must be the foundation of any analysis of religion. “Abjection accompanies all religious structurings,” she notes, maintaining that “The various means of purifying the abject . . . make up the history of religions.”²⁴ Furthermore, abjection is central not only to the study of religion but also to the arts; Kristeva sees the history of the sacred as culminating in art and literature. Literature in particular is portrayed by Kristeva as the most intense locus of the dynamics of abjection. “Contemporary literature,” and

most emblematically the anti-Semitic French novelist Louis-Ferdinand Céline (whose writings are analyzed in the second half of Kristeva's book), "becomes a substitute for the role formerly played by the sacred."²⁵

What is abjection? On the simplest level, abjection is an encounter with a radical otherness, an alien element—the abject—that is yet constitutive of the self. More specifically, abjection is the terrifying encounter with the female element repressed within each human psyche. This feminine principle stems from the role that the mother plays in Kristeva's Lacanian schema of our psychic development. According to Kristeva, the infant uses the "symbolic realm" of language to break away from the nonsymbolic, or immanent, presence of the mother: "The abject confronts us . . . within our personal archeology, with our earliest attempts to release the hold of *maternal* entity even before ex-isting outside of her, thanks to the autonomy of language. It is a violent, clumsy breaking away, with the constant risk of falling back under the sway of a power as securing as it is stifling. The difficulty a mother has in acknowledging (or being acknowledged by) the symbolic realm . . . is not such as to help the future subject leave the natural mansion. . . . In such close combat [between self and mother], the symbolic light that a third party, eventually the father, can contribute helps the future subject . . . in pursuing a reluctant struggle against what, having been the mother, will turn into an abject."²⁶

Thus, the father and language together constitute a symbolic system that allows the individual to separate from the maternal presence—in effect, to become an individual. Language is selfhood, autonomy. Meanwhile, everything which reminds us of the maternal presence, which denies our autonomy as human subjects, which would reduce us to the physical—all this becomes linked with the abject ("what, having been the mother, will turn into an abject"). Abjection is, in the words of Kristeva's precursor Bataille, "the inability to assume with sufficient strength the imperative act of excluding abject things."²⁷ Abject things are those which symbolize our merely bodily and contingent nature: as examples, Kristeva (still following Bataille) lists corpses, wounds, menstrual blood, pus, excrement. Yet Kristeva departs from Bataille by insisting that the abject is above all a feminine-maternal element, tenuously excluded from and through the constitution of the self. And Kristeva explains anti-Semitism as the result of a return of the repressed abject, an excluded otherness that rages against the symbolic structures of language, law, and self.

The exclusion of the abject is the defining factor in Kristeva's history of religions, a history that takes up the first half of her book, and which emphasizes the uniqueness of biblical Judaism. She defines biblical Judaism in terms of its stance "against paganism and its maternal cults"²⁸ and its unique manner of purging the abject, which sets Judaism apart from pagan sacrificial religions. According to Kristeva, Judaism attempts to neutralize the abject through an innovative "logic of separation" elaborated in the Hebrew Bible: a separation of clean from unclean, pure from impure, holy from profane, and so on, as

exemplified by the Bible's extensive dietary laws. She argues that the taboo of maternal incest (an abject, clearly) is the Bible's "originating mytheme,"²⁹ the source of its "logic of separation." Kristeva even enlists a reading of the prophets as furthering this "logic of separation" ("But we are an unclean thing, and all our righteousnesses are as filthy rags" Isaiah 64:6). Such a conception of Judaism is necessarily reductive and is furthermore limited mostly to the Hebrew Bible, which truncates the religion considerably (there are three brief references to postbiblical writings in her book).

Kristeva sees the biblical "logic of separation" as the birth of morality, and the restricting of the violently sacril.³⁰ Kristeva asserts that the sacrificial victim of pagan religions is replaced in Judaism by the unclean, the impure—the "abomination"—and so "a deep qualitative change takes place: the religion that ensues, even if it continues to harbor sacrifice, is no longer a sacrificial religion. It tempers the fascination of murder. . . . Nothing is sacred outside of the One."³¹ Kristeva agrees with Girard that "it is the Bible, particularly through its emphasis on abominations, that starts the process of going beyond a sacrificial concept of the social and/or symbolic contract." In the Bible, "Not only shall you not kill, but you shall not sacrifice anything without observing rules and prohibitions." The Torah is therefore "what curtails sacrifice."³²

However, this does not mean that Kristeva cherishes a Judeophilic love for the law such as we see in Lyotard. Rather, Kristeva is ambivalent about the repression of the abject within Jewish scripture, which she says operates by creating a "persecuting machine" that declares war on the maternal, pagan element.³³ Elsewhere, Kristeva characterizes "Prohibition and Law," such as she finds in the Hebrew Bible, as "unfailingy oppressive," though "necessary if that perverse interspace of abjection is to be hemmed in and thrust aside."³⁴ The apprehension Kristeva evinces here concerning the "Symbolic" and "Law" foreshadow her book's conclusion, in which she emerges as a champion, not of biblical law, but of a type of horrified pleasure in the abject.

Meanwhile, Christianity is described as a progressive "interiorization of abjection." As in the case of the Hebrew Bible, Kristeva's reading of the New Testament is reductive; the pivotal Christian distinction between Law and Gospel is defined as an "oralization" of the Hebraic pure/impure dichotomy, based on a reading of a handful of passages in Matthew and Mark. Her reading is also selective; for example, Kristeva makes much of Jesus' statements concerning the honoring of parents, but leaves out entirely his very opposite statements in which he subordinates filial obligation to Christian duty. Nevertheless, it is this internalization of abjection which defines Christianity for Kristeva, and separates it decisively from Judaism. The Christian sense of sin is an internalization of biblical defilement. Thus, Christianity manifests a "reconciliation with the maternal principle" that is quite unlike Judaism's separating out of the abject. Kristeva therefore follows the Freud of *Moses and Monotheism* in seeing Christianity as "a compromise between paganism and Judaic monotheism." And Christian sin is "the revenge of paganism," the

return of the abject.³⁵ This would explain the very Christian resonances in one of Kristeva's first descriptions of abjection: "Abjection is a resurrection that has gone through death (of the ego). It is an alchemy that transforms death drive into a start of life, of new significance."³⁶ Thus, abjection follows the Christian structure of the Passion (or, as Kristeva would doubtlessly argue, the Passion bears the determining mark of abjection).

Kristeva has unfolded her Lacanian and Batailleian ideas in a Hegelian world history, bringing us (readers who are evidently Christian or post-Christian) into a modernity which has internalized abjection and encounters it most dramatically in art. At this point, Kristeva can take up her analysis of Céline. She argues that the dynamics of abjection in Céline's art give rise to his pathological anti-Semitism. Yet the importance of her argument is not limited to this one author. Rather, she argues that what takes place in the psychology and writings of the individual author is in fact the same dynamics of abjection that produces recurrent and violent anti-Semitism within Western civilization as a whole.

According to Kristeva, there are two elements that run through Céline's anti-Semitism. One is "*rage against the symbolic*." This is a "fully secular rage" against all organized religion, all symbolic structures, and all ideologies of transcendence, and which takes Jewish monotheism as its central enemy. The second and subsequent feature is "the attempt to substitute *another Law*" for the symbolic—the new law being defined by "*material positivity*," by "a kind of sameness," and by a "mystic" quality that "proclaims the immanence of substance and meaning, of the natural/racial/familial . . . communicated to the senses as Rhythm."³⁷ This new law—rhythmic, immanent, bound to nature and race—is a new paganism.

Anti-Semitism is, therefore, the return of the repressed pagan-feminine. It is "a kind of parareligious formation . . . the sociological thrill, flush with history, that believers and nonbelievers alike seek in order to experience abjection." And it will arise during "all attempts . . . at escaping from the Judeo-Christian compound by means of a unilateral call to return to what it has repressed (rhythm, drive, the feminine, etc.)."³⁸

Kristeva's use of the adjective "Judeo-Christian" is a bit disingenuous, however, since it is Jews and not Christians who are the target of the parareligious pathology she describes. The Jews find themselves at the center of the dynamics of abjection, of the struggle of the maternal with the symbolic, because of the content of their scripture and religion: "The anti-Semite is not mistaken. Jewish monotheism is not only the most rigorous application of Unicity of the Law and the Symbolic; it is also the one that wears with the greatest assurance, but like a lining, the mark of the maternal, feminine, or pagan substance. If it *removes* itself with matchless vigor from its fierce presence, it also integrates it without complacency."³⁹ This attributes the uniqueness of Judaism not only to its monotheistic rigor, but to a strenuous tension between monotheism and paganism that is maintained in biblical and prophetic

discourse, and which has been assuaged to a great extent in, say, Christianity. The Jewish "logic of separation" preserves the maternal within its very structure, but without the compromise and individualization manifest in Christianity. Thus, historical crises trigger anti-Semitic reactions, since this is programmed into the most constitutive parts of the Western psyche.

If at this point the reader expects some sort of discernible stance against such anti-Semitism, only disappointment follows. Instead, Kristeva concludes her analysis with a dark paean to what Céline shows us is "the fascination exerted upon us, openly or secretly, by that field of horror."⁴⁰ She says that if the analyst of the abject derives from it a "perverse" thrill, "fine; provided that . . . he allow the most deeply buried logic of our anguish and hatred to burst out." How this pronouncement relates to concrete historical and social situations, Kristeva does not make clear; rather, we are given a grandiose and apocalyptic prophecy. According to Kristeva, modern analysts such as herself, now armed with the knowledge of the abject, are "preparing to go through the first great demystification of Power (religious, moral, political, and verbal) that mankind has ever witnessed; and it is necessarily taking place within that fulfillment of religion as sacred horror, which is Judeo-Christian monotheism. In the meantime, let others continue their long march toward idols and truths of all kinds, buttressed with the necessarily righteous faith for wars to come, wars that will necessarily be holy."⁴¹ The abject and the attempts to repress it will continue to rack humanity with holy wars, and such holy wars will more often than not be waged against the Jews. However, Kristeva does not explain how the analyst's "demystification of Power" is related to his cathartic pleasure in abjection.

Kristeva only mentions briefly what would be the most pressing modern example of the destructive effects of abjection, the Holocaust. "In the dark halls of the museum that is now what remains of Auschwitz, I see a heap of children's shoes, or something like that, something I have already seen elsewhere, under a Christmas tree, for instance, dolls I believe. The abjection of the Nazi crime reaches its apex when death, which, in any case, kills me, interferes with what, in my living universe, is supposed to save me from death: childhood, science, among other things."⁴² This is curiously offhanded. Surely the darkening of Kristeva's Christmas memories is not the "apex" of this "abjection."

Girard: Christianity as Anthropology

René Girard would not wish to be classified with these other theorists, and the feeling is frequently mutual. Girard's is a school of thought unto itself, a method of analyzing all cultural forms according to a single principle, and he has little patience with those who do not acknowledge this principle as being the most important. Furthermore, his theories are opposed to the generally antireligious atmosphere of most modern universities. From the heart of the secular academy, Girard's theories function as an earnest plea on behalf of an almost

medieval-sounding Christianity. Despite their own religious influences, this would certainly be anathema to most theorists. Yet Girard is still considered a major figure in Theory because his thought—in its own unique way—shares with other theorists a deep resistance to the values of Enlightenment humanism, and because his writings are highly important to theoretical analyses of sacrifice and violence.

The distinctiveness of Girard's theories begin with his reappraisal of the subject of *mimesis*, the human capacity to imitate. Most theories of mimesis speak positively about it, since imitation is often considered to be the basis of human learning and so of civilized behavior. Girard also sees mimesis as a fundamental human impulse; however, he argues that it is the root of violence. His first major insight is to consider mimesis in a triangular context. Whereas most mimetic theories attempt to understand the way in which one individual imitates another, Girard points out that most of the time what is being imitated is the behavior of one individual *towards a third party*, and that this is a situation that cannot help but lead to conflicts. I see you eat food and I want to eat your food. You desire a mate, and from you I learn to desire that mate as well. Imitation is therefore as inherently violent as it is human.

In his most influential work, *Violence and the Sacred*, Girard outlines a theory of religion that bases it on the need to control mimetic violence.⁴³ According to Girard, violence is contagious. It is the nature of violence to escalate, each act of revenge being greater than the violent act which preceded it. From earliest times, human communities have been sensitive to the danger of reciprocal violence, and have evolved systems designed to preserve order and communal cohesion through the channeling and ritualizing of violence. Such systems—religion—are based on the mechanism of sacrifice. Sacrifice designates an arbitrary victim to serve as the receptacle for a community's violent desires. Religion is therefore the consequence of violence, and communal unity is in fact generated through murder. While I necessarily oversimplify Girard's subtle and cogent analyses—which proceed with equal facility through modern ethnological and anthropological studies, pagan myths, classical tragedy, and his own critiques of other theorists of sacrifice (Freud, Levi-Strauss, Frazier, Mauss, etc.)—the central issue is their placement of sacrifice, which both ritualizes and hides communal violence, at the basis of human culture. Civilization is built on sacrificial violence, and there is no human community, according to Girard, that eludes this paradigm.

The books that grow out of *Violence and the Sacred* elaborate this view. In *Things Hidden Since the Foundation of the World*, a book structured as a kind of Platonic dialogue between Girard and two enthusiastic disciples, Girard undertakes one of the most audacious and shrewd “philosophic-scientific” justifications of Christianity since Hegel. *The Scapegoat* performs much the same task.⁴⁴ Building on his previous work, Girard now argues that only the Christian Gospels contain the sociological demystification needed to save humankind from the curse of contagious violence. The one correct interpre-

tation (which is Girard's) will reveal these texts to be the most sophisticated anthropological and psychological critiques of violence that we possess. If we listen to the true message of the Gospels, we will be "saved." If we do not, we only contribute to the violence that will eventually lead to the destruction of the world.

Of course, these are the Gospels *as Girard interprets them*. Many Christians would find the sociological significance that Girard attaches to the apostolic accounts and Christian mysteries to be unacceptable. It is nevertheless amazing how much of traditional Christianity is preserved in Girard's "meta-anthropology." As we will see, far from emptying out Christianity's uniqueness and dogma, in the manner of, say, a Feuerbach, Girard frequently sounds like a new Church Father in his seriousness and attachment to traditional Christian belief, including the oldest of Christian prejudices concerning the Jews.

According to Girard, the Gospels are unique in human history because, as no other text, they consciously expose all the workings of the sacrificial process of "victimage." They make it impossible for the human race to hide from itself the violent essence of its culture (figured in the Gospels as the force of Satan), and the way it perpetuates violence by sacrificing innocent victims. Girard admits that the New Testament echoes many pagan sacrificial myths, but he maintains that the Christian scriptures are really a critique of these myths. The victim in the Gospels is portrayed as perfectly innocent; thus, the Gospels make the violent mechanisms of human culture transparent for all to see.

The innocent victim is of course Jesus, who is according to Girard "the last and greatest of the prophets, the one who sums them up and goes further than all of them. . . . With him there takes place a shift that is both tiny and gigantic . . . the complete elimination of the sacrificial for the first time."⁴⁵ The message of Jesus, as seen for example in the Sermon on the Mount, is both an exposé of violence and a program for escaping it. This is what Jesus means by "the Kingdom of God," nothing less than "the complete and definitive elimination of every form of vengeance and every form of reprisal in relations between men."⁴⁶ And our need for the Kingdom of God is more pressing than ever, since we are living in an age of "apocalyptic violence," by which Girard means the very real potential for humanity's total self-destruction in nuclear war.

Yet Girard is not merely watering down Christian theology into a simple message of nonviolence. Jesus' message of nonviolence is a unique event, with the deepest repercussions for humanity. With the arrival of Jesus, "it becomes impossible to put the clock back. There is an end to cyclical history, for the very reason that its mechanisms are beginning to be uncovered."⁴⁷ Thus Jesus' cultural critique is not mere sociology, but—by definition—revelation.

Furthermore, Jesus himself is a singularity. If human culture is inherently violent and self-deceiving, then an emissary of a real critique of this violence must—by definition—be transcendent, beyond the horizon of what can be thought by humans. And so: "To recognize Christ as God is to recognize him as the only

being capable of rising above the violence that had, up to that point, absolutely transcended mankind. Violence is the controlling agent in every form of mythic or cultural structure, and Christ is the only agent who is capable of escaping from these structures and freeing us from their dominance.”⁴⁸ If we define God as what transcends human violence, then Jesus is God, as Girard also makes evident in the following “anthropological analysis”: “the gospel text contains an explicit revelation of the foundations of all religions in victimage, and this revelation takes place thanks to a nonviolent deity—the Father of Jesus—for this revelation appears in close association between Father and Son, in their common nature, and in the idea, repeated several times in John, that Jesus is the only way to the Father, that he is himself the same thing as the Father, that he is not only the Way, but also the Truth and the Life. Indeed, this is why those who have seen Jesus have seen the Father himself.” Jesus is “the only Mediator, the one bridge between the Kingdom of violence and the Kingdom of God.”⁴⁹

Girard notes that this Christian critique of violence had commenced in the Old Testament, and he performs several readings of biblical passages that he feels indicate a stance opposed to sacrifice. For this reason, he argues that the Old Testament prefigures the New. The Old Testament does not, however, complete its critique; it still ascribes human violence to the will of God. Therefore, Girard insists that “only the texts of the Gospels manage to achieve what the Old Testament leaves incomplete. These texts therefore serve as an extension of the Judaic Bible, bringing to completion an enterprise that the Judaic Bible did not take far enough, as Christian tradition has always maintained.”⁵⁰ Furthermore, Girard agrees with Paul (especially in Romans) that the Jewish Law has been abrogated by the coming of Christ since, as Girard phrases it, “It is no longer possible to separate the enemy brothers by a controlled violence that would put an end to their violence. . . . No longer is any distinction possible between legitimate and illegitimate violence.”⁵¹

Such theories obviously depart very little from the trappings of traditional Christianity. Even the virgin birth is preserved as an indication of how separate Jesus is from any form of violence whatsoever. Indeed, in accounting for Christ’s complete separation from violence, Girard looks to the description of the Logos in the opening of the fourth Gospel, and arrives at a similar concept, a Christian version of Lyotard’s “jewish” Forgotten, or Kristeva’s pagan abject. He cites John 1:5, “He was in the world, and the world was made through him, yet the world knew him not” and goes on to argue that: “The Johanne Logos is foreign to any kind of violence; it is therefore forever expelled, an absent Logos that never has had any direct determining influence over human cultures . . . the misrecognition of the Logos and mankind’s expulsion of it disclose one of the fundamental principles of human society.”⁵²

Of course this is to ignore the violence wreaked by historical Christianity, as well as its evidently sacrificial theology. Girard argues that historical Christianity is a misreading of the Gospel message, a relapse into the old sacrificial paradigm in which communal unity is temporarily created by

venting the community's discord upon a scapegoat. In Christian history, this sacrificial scapegoat has, disastrously, been "the role the Jews fulfill." Historical Christianity—which Girard calls "sacrificial Christianity"—has misinterpreted the Gospels; it has made them yet another version of the "sacrificial cultural foundation" that we see in all societies.⁵³ And this has been the source of Christian anti-Semitism, which Girard deplores in no uncertain terms.

However, this means that the problem with Christianity up till now is that it has been too "Jewish"—too attached to the Old Law of sacrifice—and not yet truly "Christian."⁵⁴ In Girard's view, anti-Semitism arises because the "Christian sons have repeated, even aggravated, all the errors of their Judaic fathers," those stubborn Pharisees who refused the message of Jesus.⁵⁵ The origin of the Jews' role as scapegoat is due precisely to the sacrificial mechanisms that Girard wishes to uncover and so end. Yet this tells us that we are still within the domain of traditional Christianity's stance towards the Jews, which sees the Pharisees as rejectors of salvation. To be fair, Girard does insist that the New Testament's vilifications of the Jews use them "as an intermediary for something very much larger," describing "a universal phenomenon whose consequences are going to fall not only upon the Pharisees."⁵⁶ However, in this, Girard still echoes a conventional Augustinian theology: the Jews continue to signify the wretchedness that accompanies humanity's rejection of Christian salvation. Jew-hatred is the predictable sacrificial misinterpretation of the true Christian message, and it will disappear from the earth only when Girardian Christianity is accepted by all. (Just as anti-Semitism in the traditional account will end only at the end of days when all accept Christ as their savior.) Until then, Girard's theories will be, as in a passage he cites, like unto "The voice of him that crieth in the wilderness" (Isaiah 40:3).

Conclusion

Ultimately, the discourse that Theory creates silences the Jewish subject, which is replaced by various Western-Christian constructions. The Jew with whom these theorists wish to converse is therefore revealed as a lack, an invisibility. One might speculate that this phenomenon is the result of post-Holocaust European intellectuals attempting to fashion a dialogue with a people who are no longer there.⁵⁷ Certainly, the outcome of this one-sided conversation seems to be a debilitating sort of scholasticism. The reduction of events and ideas is at times useful, but not when it leads, for example, to Kristeva's regurgitation of a Hegelian narrative of the unfolding of the absolute abject. Unfortunately, because of their unfamiliarity with Judaism and Jewish history, these theorists do not draw upon a complex and detailed, historical scholarship. Instead, we witness the casual recycling of stereotypes, negative or sentimental, which are not subject to critique or historical context. This refers as much to Girard's atavistic medievalism as it does to Lyotard's nineteenth century ethical monotheism.

Yet in each of these thinkers' explanations of culture, the Jews occupy a central position. Whether they are the best representatives of noncommunity or the perpetual victims of abjecting or sacrificial violence, the Jews are deeply enmeshed in the intellectual economies of postmodernism. The current debates, nourished by Theory, concerning politics and barbarism, culture and otherness, will continue to focus—as do these theorists—on the Jews and their enemies, and perhaps most frequently on the Holocaust. But it must be the task of a mature, knowledgeable scholarship to expose the problems in Theory's Jewish studies, salvage what is of value, and so turn a curious chapter of intellectual history into something more closely resembling critical analysis.

NOTES

1. See, for instance, *The Heidegger Controversy: A Critical Reader*, ed. Richard Wolin (Cambridge and London: MIT Press, 1993). Another controversy concerning Theory and fascism surrounded the figure of Paul de Man, who played a leading role in the introduction of French deconstruction into the United States, and who was discovered to have written anti-Semitic articles for a pro-Nazi journal during the war.

2. "What is Enlightenment?" in *The Foucault Reader*, trans. Catherine Porter, ed. Paul Rabinow (New York: Pantheon Books, 1984), p. 33.

3. Lyotard writes: "the jews' and the Christians make two, like Kafka and Claudel, like Benjamin and Bataille, like Celan and Char make two respectively. As much witnesses to the unnamable as the second mentioned might be, flesh and earth are saved in their work. But they [the first] are slaughtered in the penal colony, with the Angel of History, and in the Name of no one." *Heidegger and "the jews,"* trans. Andreas Michel and Mark Roberts (Minneapolis: University of Minnesota Press, 1990), p. 39. In this passage, only the real Jews—Benjamin, Celan, and Kafka—are "jews."

4. *Ibid.*, p. 3.

5. Alan Milchman and Alan Rosenberg, "The Unlearned Lessons of the Holocaust," *Modern Judaism* 13 (1993): 179.

6. *Ibid.*, p. 186.

7. Lyotard, p. 3.

8. Kristeva also posits a type of "Forgotten," a type of repressed Other, which is her category of the "abject." But Kristeva's Other is a pagan-maternal element which defies Law, while Lyotard's Other is the foundation for ethical Law modeled on quasi-Jewish sources. Girard also has his equivalent for the Forgotten, which he identifies with the Christian Logos.

9. To explain his concept of the unrepresentable, Lyotard turns to Freud's paradoxical hypothesis of the "unconscious affect," a shock "of which the shocked is unaware, and which the apparatus (the mind) cannot register in accordance with and in its internal physics." Lyotard next refers to Kantian aesthetics; as in the case of Freud's "unconscious affect," Kant's sublime describes a state in which "the imagination is also unable to collect the absolute (in largeness, in intensity) in order to represent it." Lyotard, pp. 11, 12, 32.

10. *Ibid.*, p. 22.

11. Lyotard and Kristeva both see a contiguity between paganism and Christianity. Girard is of course staunchly opposed to such an outlook, arguing that Christianity emerges from, and fulfills, Judaism.

12. Lyotard, p. 80.

13. *Ibid.*, p. 22.

14. *Ibid.*, p. 81.

15. Ibid, p. 81.
16. Ibid., p. 5.
17. Ibid., pp. 93–4.
18. Ibid., pp. 92–3
19. Daniel and Jonathan Boyarin, “Diaspora: Generation and the Ground of Jewish Identity,” *Critical Inquiry* 19 (Summer 1993): 719.
20. Ibid., p. 712.
21. Ibid., p. 711.
22. Ibid., p. 712.
23. Uriel Tal summarizes Freud’s psychological diagnosis of anti-Semitism as follows: “anti-Semitism functions, among other applications, as a catharsis. It gives release to a repressed paganism, a pre-Christian heritage of the Gentile, which remained latent, mostly subconsciously, in Christianity. By negating, hating, ridiculing, fighting, and then also persecuting the Jew, the Christian revenged himself on those he held to blame for his alienation from his Gentile past, his original roots in nature.” Tal, “Religious and Anti-Religious Roots of Modern Anti-Semitism,” *Leo Baeck Memorial Lecture 20* (New York: Leo Baeck Institute, 1977), p. 17. Tal’s scholarly overview of the idea of paganism in modern anti-Semitism is very illuminating when applied to Kristeva.
24. Julia Kristeva, *Powers of Horror: An Essay in Abjection*, trans. Leon S. Roudiez (New York: Columbia University Press, 1982), p. 17.
25. Ibid., p. 26.
26. Ibid., p. 13; all emphases are Kristeva’s.
27. Ibid., p. 56.
28. Ibid., p. 94.
29. Ibid., p. 106.
30. Sacrifice is a key concern of French postmodern thought, which traces its intellectual lineage back to anthropologists and theoreticians of sacrifice such as Emile Durkheim, Marcel Mauss, and Bataille. Note that each of the thinkers I discuss is concerned with the relationship of sacrifice to the Jews.
31. Kristeva, op. cit., p. 111.
32. Ibid., p. 112. Kristeva follows Mary Douglas’s anthropological approach to Jewish sacrifice. Nevertheless, one could point out that biblical Judaism is a sacrificial religion. Furthermore, despite the romantic conception of sacrifice held by Kristeva and Bataille, pagan sacrifice also observed rules and prohibitions. If Judaism departs from sacrifice, this departure is probably more evident in the development of prayer and study as religious acts.
33. Ibid.
34. Ibid., p. 16.
35. Ibid., pp. 113–16.
36. Ibid., p. 15.
37. Ibid., pp. 178–79.
38. Ibid., p. 180.
39. Ibid., p. 186.
40. Ibid., p. 208.
41. Ibid., p. 210.
42. Ibid., p. 4.
43. René Girard, *Violence and the Sacred*, trans. Patrick Gregory (Baltimore and London: Johns Hopkins University Press, 1977).

44. René Girard, *Things Hidden Since the Foundation of the World*, trans. Stephen Bann and Michael Metteer (Stanford: Stanford University Press, 1987); *The Scapegoat*, trans. Yvonne Freccero (Baltimore: Johns Hopkins University Press, 1989).

45. Girard, *Things Hidden*, p. 200.

46. Ibid., p. 197.

47. Ibid., p. 206.

48. Ibid., p. 219.

49. Ibid., pp. 184, 216.

50. Ibid., p. 158.

51. Girard, *The Scapegoat*, p. 129.

52. Girard, *Things Hidden*, p. 271.

53. Ibid., pp. 224–5.

54. Girard is particularly interested in downplaying the New Testament texts which clearly apprehend the Crucifixion as a sacrifice, especially the Epistle to the Hebrews. And the problem with Hebrews, according to Girard, is that its author “interprets Christ’s death on the basis of the sacrifices under the Old Law.” *Things Hidden*, p. 227.

55. Ibid., p. 224.

56. Ibid., pp. 158–59.

57. This idea came up in a discussion with Sidra Ezrahi on the presence of the “jew” as metaphor in postmodern thought.

COVENANT OF BLOOD

CIRCUMCISION AND GENDER IN RABBINIC JUDAISM

Lawrence A. Hoffman

Lawrence Hoffman seeks to find out why circumcision holds such an important place in the Jewish psyche. He traces its symbolism through Jewish history, examining its evolution as a symbol of the covenant in the post-exilic period of the Bible and its subsequent meaning in Judaism’s formative era.

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GARY PACERNICK

All the Way to Budapest

for Miklós Radnóti

In late fall of 1944, in the course of the general Axis retreat from Hungary, Miklós Radnóti and twenty-one of his companions were taken on a forced march, shot, killed, and buried in a mass grave. On exhumation, there was found in his field jacket pocket a small camp notebook containing seven poems that are now famous in Hungary and around the world.

I remembered the poet's words
salvaged from poems he had
stuffed his pockets with
before the Nazis shot him.
I saw him as he shook and
stumbled on that frozen road,
the target of German lugers.
I said to myself: no bullet
could ever penetrate his psalm
passed on from lover to lover.

GARY PACERNICK's most recent poetry collection is titled *Something Is Happening*. He is also the author of *The Jewish Poems*, a poetry collection that has been adapted for the stage and for Public Television. The author of critical studies, *Memory and Fire: Ten American Jewish Poets and Sing a New Song: American Jewish Poetry Since the Holocaust*, he has also edited the poetry magazine *Images*. He is currently professor of English at Wright State University.

Forced March

MIKLÓS RADNÓTI

Translated by Gary Pacernick and Bela Bognar

Foolish is he who gets up after
collapsing, gets up and walks,
moves ankles and knees, and he goes on
his way again as if he were
lifted by wings. The ditch calls him in vain;
he is afraid to lie there forever.
When you ask, "Why not stay down?"
he may answer, "Because a woman
and a sage-like death are waiting for me."
Yet is he such a fool? For so long
torrid winds have twisted over his house.
Its walls lie on their backs.
The plum tree is broken in half.
Fear darkens the night. If I could
just believe that I not only hold
what's worth living for in my heart.
There's a house to return to. If it
still exists, I would hear bees humming
on the old veranda while the plum jelly cools
and sleepy gardens bathe at summer's end.
And between branches naked fruit sways.
And blond Fanni waits for me in front
of the untrimmed bushes. And slowly
this morning would write its shadows.
Can all this be once more? The moon
is so round today. Do not leave me,
my friend! Cry out to me,
and I will get up. I will!

Bor, September 15, 1944

BELA BOGNAR was born in Pakod, Hungary. As a young boy, he witnessed the deportation of thirteen Jewish families by the Nazis. He participated in the Hungarian Revolution against the Soviet Army in 1956. He is the subject of a documentary film by his filmmaker son Steve Bognar, titled *Personal Belongings*, that was presented at the Sundance Film Festival. Dr. Bognar is Professor of Social Work at Wright State University.

Irving Howe and Secular Jewishness: An Elegy

EDWARD ALEXANDER

It's as hard to return to
old-fashioned words
as to sad synagogues,
those thresholds of faith.
You know exactly where they are.
Troubled, you can still hear their undertones.
Sometimes you come close and look longingly
at them through the windowpanes.

You who still take your ease in the shadow of biblical trees,
O sing me the cool solace
of all you remember, all that you know.

Jacob Glatstein, "Without Gifts"¹

THE LAST LETTER IRVING HOWE WROTE TO ME WAS dated April 30, 1993, five days before his death. He reported in it that 1992 had been a terrible year for him because of three operations in rapid succession, but that he was now much improved. But what he mainly wanted to tell me was that he had been living for the four preceding months with the splendid young leaders of the Warsaw Uprising.²

Irving was referring to the then recently published 700-page book of memoirs of Yitzhak Zuckerman, a leader of the Warsaw Ghetto uprising. At first sight it may appear unremarkable that Howe should have been, in his last days, imaginatively immersed in the heroic armed defense, mainly by Zionist socialists, of the ghetto. But one must remember that this is the same Irving Howe who had, at least as early as 1953, committed himself to the salvage of Yiddish literature partly because its great themes were "the virtue of powerlessness, the power of helplessness"³ and who had often commented acerbically on Zionist impatience with Yiddish literature precisely because of its antiheroic bent. Howe's sympathetic involvement, during his last months, in the memoirs of a Zionist hero, was a sign not only of his intellectual flexibility but also a

EDWARD ALEXANDER is Professor of English at the University of Washington. His latest book is *The Jewish Wars: Reflections By One of the Belligerents* (Southern Illinois University Press). He is writing a book about Irving Howe. This essay is adapted from a lecture originally delivered at the 18th Annual Rabbi Louis Feinberg Memorial Lecture in the University of Cincinnati Judaic Studies Program, April 1995, which was first published in the Program's Feinberg Publication Series.

reminder of what he had once, ruefully, said to me about the values of the Yiddish tradition. They would, he thought, sustain him for the rest of his life, but they could not (and perhaps should not) be prolonged beyond that. "One of the arts of life," he used to say, "is to know how to end."⁴

This last letter from Irving prompted me to go back to the first one he sent me, in 1972, an unsolicited response to the first piece I ever wrote on a Jewish subject, an essay on Chaim Grade in *Judaism* magazine.⁵ He expressed wonder not only that Grade's story "My Quarrel with Hersh Rasseyner" hadn't attracted more attention but that the *Treasury of Yiddish Stories*, the anthology in which it appeared in English in 1953, was never reviewed in any American literary journal. He also recalled, without explicitly endorsing, the saying of a friend that "In the warmest of hearts there's always a cold spot for the Jews."⁶ The parochialism and unearned condescension toward Yiddish literature (especially among Jewish critics) was among the few literary offenses that could ruffle Irving's sweetness of temper. He told me, in a letter of 1983, how Lionel Trilling, when he heard that Howe was working on Yiddish literature, expressed his "suspicion" of Yiddish literature. The remark pained and also enraged Howe, who never forgave Trilling for it, especially since the Columbia professor was entirely ignorant of the subject. Nevertheless, he and Trilling did become friends.⁷

Irving's ability to recognize, over the years, the dangers in the Jewish tradition of passivity and his ability to befriend ideological opponents were but two of the signs of his extraordinary disinterestedness. It was this quality which, combined with his acuteness of insight, his profound life-wisdom, his uncanny gift for *le mot juste*, his supple and lucid prose, and his unerring literary tact, made him the greatest critic (and not just "literary" critic) of our age. When Matthew Arnold in 1865 called disinterestedness the *sine qua non* of the critic, he defined it as "a free play of the mind on all subjects which it touches . . . steadily refusing to lend itself to . . . ulterior, political, practical considerations about ideas."⁸

Whether he wrote of literature or Jewish quandaries or politics (a realm in which he made many serious mistakes), Irving disdained the sectarian approach, which says "let us all stick to each other, and back each other up, since we are all in the same movement."

Probably no socialist thinker, with the possible exception of George Orwell, aroused—by his unvarnished, often unfashionable honesty—more hatred among other socialists than did Irving Howe. Who but he, among socialists, would have said that the reason why American Jewish workers never swerved from support of Roosevelt despite his administration's "shameful" record in helping to save or admit Jewish refugees from Hitler was that his domestic policies "seemed like a partial realization of their old socialist program"? What other Jewish radical could write that "Rebelling against the parochialism of traditional Jewish life, the Jewish radicals improvised a parochialism of their own—but with this difference: they called it 'universalism.'"⁹ What other Marxist could so perfectly encapsulate the absurdity of the current academic breed of

Marxists as Howe did when he called them people who, having replaced the old-fashioned goal of taking over the government with the new one of taking over the English Department, had “gone to the universities to die in comfort”?¹⁰ (He also pointed to the paradox whereby Marxist literary theorists now write in a prose of such “stupefying . . . opacity”¹¹ that it is incomprehensible to the common reader; and he recommended that they “speak in English, a language that for some time served criticism well.”¹² Even Howe’s well-known dislike of Menachem Begin had an element of socialist self-criticism in it. He saw Begin as the worst kind of reactionary because he brought his bad old socialist habits to his bad new Herut principles.¹³ One wonders that Howe, so familiar from his youth with the ugly habits of many socialists, should have been as surprised as he was when, as he put it, “some of [the New Left] spokesmen wanted not just to refute my opinions . . . but also to erase, to eliminate, to ‘smash’ people like me.”¹⁴ Irving never, to be sure, wavered in his conviction that socialism is a worthy (if also a lost) cause. This tenacity was disturbing to many of his admirers. About fourteen years ago, I heard I. B. Singer groan: “A wonderful man, Irving Howe. He’s done so much for Yiddish literature and for me. But he’s not a youngster anymore, and still, still with this socialist *meshugas!*” Like Orwell before him, Howe would reiterate, as much in grief as in justification: “Good causes attract poor advocates.”

He was equally free of the constricting spirit of sect and party in literary matters. His very first teaching stint was at my own school, the University of Washington, to which he came, as he described himself decades later, “green and nervous,” in the summer of 1952. The department was then divided between the disciples of Vernon Parrington, most of them leftish, committed social democrats (or even communists) and the New Critics, under the sway of the formalist methods developed by T. S. Eliot and the reactionary Southern Agrarian critics. Howe found himself drawn to the latter group rather than to his “natural” allies. He told the most eminent of the New Critics in Seattle, Robert B. Heilman, that he had experienced not only from Heilman but from nearly all the New Critics he had known a generosity of spirit he would rarely meet with again.¹⁵ I myself must have benefited from Howe’s own largeness of spirit towards opponents: he sometimes called me his “favorite reactionary.” Once, shortly after his father had died late in 1977, I was in New York to visit my own father, who was hospitalized not far from Irving’s apartment. “Come over,” he said, “and let’s talk about life and death—no politics.”

Although I can hardly imagine teaching literature or thinking about Jewish life without resorting to Irving Howe’s work, it is the memory of his sweetness, moral refinement, delicacy, or what he liked to call *edelkeit* that I treasure most. One could see this best in his devotion to his own parents, whose moral image plays an important role in his writing. The finishing touch to his demolition of Kate Millett’s inane book *Sexual Politics* is the sketch of his mother and father sharing years of trouble and affection during the Depression, working for slave wages in the garment center, helping one another, in shop, subways, and home,

through dreadful years. “Was my mother a drudge in subordination to the ‘master group’? No more a drudge than my father who used to come home with hands and feet blistered from his job as presser. Was she a ‘sexual object’? I would never have thought to ask, but now, in the shadow of decades, I should like to think that at least sometimes she was.”¹⁶ This affection was reciprocated by his parents, sometimes perhaps even to excess. I once had to collect Howe from his Seattle hotel room to deliver him to a lecture he was to give at the university, and we were delayed by a phone call. Irving listened for awhile, with rising impatience, and then said: “For God’s sake, Pop, I’m 56 years old; you don’t have to remind me to put on rubbers when it’s raining.”

One of Howe’s central ideas, to be discussed later in this essay, was that a religious faith apparently abandoned could exercise a far more powerful hold over a man than new, secular faiths adopted. Howe was not, in any accepted sense of the term, a religious man, yet I recall how once, when we were going (at his request) to Sabbath services at Seattle’s Sephardic Bikur Cholim Congregation, he blurted out: “Tell me, Eddie, do you believe in God?” The question was entirely earnest, without a hint of irony or condescension; neither was it a prelude to debate or even discussion. But it was still, in his heart of hearts, the preeminent question. What answer he himself gave to it we cannot know. But it seems clear that for him as for the Yiddish writers he revered, the old faith, even the partial or minimal Judaism that he inherited, was finally a far more imperious presence than such new creeds as socialism. He wrote that a good part of his book *World of Our Fathers* was no more than an extension of what he knew about his own father and the immigrant Jewish values and feelings he represented. Though he could see what was parochial in these values and feelings, “they also formed the firmest moral norms I would ever encounter. Again and again I would ‘fail’ my father. . . . But his solidarity never wavered, and I came to feel that it was a solidarity more than familial, deriving from some unexpressed sense of what a Jew owed his son. Reading Mani Leib’s sonnets and Moishe Leib [Halpern]’s poems, I learned to value that solidarity. Reading those sonnets and poems I learned where I had come from and how I was likely to end.”¹⁷

This discovery of origins, this reconquest of Jewishness was begun relatively late in Howe’s career. Before the Second World War, as he admitted in his autobiography, he had been indifferent to Jewishness and, indeed, to the Jews. During the 1930s and 1940s Howe, like Lionel Trilling and Philip Rahv, was primarily interested in the fate of the Soviet Union, and in the progress of socialism in America, not in the little difficulties the Jews were having in Europe and Palestine. The Jewish intellectuals who did concern themselves with the Jews during those years—such writers as Hayim Greenberg, Marie Syrkin, Ben Halpern, Ludwig Lewisohn, Maurice Samuel¹⁸—would have laughed at anybody who predicted, let us say in 1942, that Irving Howe would one day become a Jewish literary hero writing books that would become standard barmitzvah presents. “In the years before the war,” Howe confessed, “people like me tended to subordinate our sense of Jewishness to cosmopolitan culture and

socialist politics. We did not think well or deeply on the matter of Jewishness—you might say we avoided thinking about it. . . . Jewishness did not form part of a conscious commitment, it was not regarded as a major component of the culture I wanted to make my own, and I felt no particular responsibility for its survival or renewal.”¹⁹ Like his comrades in the Trotskyite movement, Howe argued strongly against American participation in the war against Hitler, taking the position that this was a war between two imperial and capitalist systems. He did serve over three years in the U.S. Army and later referred to his political position towards the war as a “deep error.” Nevertheless, as Midge Decter (his one-time editor at *Harper's*) remarked in a hostile essay, “for a Jew, any Jew, to have proclaimed World War II merely a war between two ‘imperialisms’ . . . had to have been a significant and haunting act. . . . Mr. Howe had taken himself beyond the cultural, and personal, identity given him by his birth into an immigrant Jewish family.”²⁰

According to William Phillips, longtime editor of *Partisan Review*, Howe “was haunted by the question of why our intellectual community . . . had paid so little attention to the Holocaust in the early 1940s. . . . He wanted to know why we had failed to respond more strongly to the gravity of events. He asked me why we had written and talked so little about the Holocaust at the time it was taking place.”²¹ At the time it was taking place, of course, and even for a time after the war, Howe and his closest colleagues had no taste for and little interest in Judaism as a religion. They did not then acknowledge themselves as part of an American Jewish community, since socialist dogma stipulated (erroneously, of course) that class loyalties and class conflicts were decisive and superseded differences between Gentile and Jew. Nevertheless, starting in about 1947, Howe's attempt to grapple with the Holocaust led him to reconsider what it meant to be Jewish, even though he later admitted that if American socialism had not “reached an impasse in the postwar years,” he might have continued to think of himself as “a cosmopolitan activist of Jewish origin, rather than a Jewish intellectual with cosmopolitan tastes.”²²

A crucial turning point for him was Harold Rosenberg's rebuttal of Jean-Paul Sartre's *Reflexions sur la question juive*, which had appeared serially in *Partisan Review* and *Commentary* in 1946 and 1947. Sartre had argued that the Jews have no history, that “the sole tie that binds them is the hostility and disdain of the societies which surround them.”²³ This thesis, which can be traced back to Spinoza, alleges that anti-Semitism itself creates Jewish consciousness, Jewish peoplehood, and Jewish persistence. The thesis, as writers ranging from Hannah Arendt to Robert Alter, have pointed out, fails to explain why other people in the ancient Near East who suffered misfortunes similar to those of the Jews interpreted those misfortunes as proof that their national god had failed them and chose to surrender their religious loyalties in order to assimilate into the surrounding cultures. The Jews, also conquered, banished, and persecuted, chose to cling to their religion and national identity in exile. The real question, therefore, should have been not how anti-Semitism created

Jewish consciousness but, on the contrary, what inner compulsion led the Jews, unlike other unfortunate nations, to remain loyal to their god—to God—*despite* persecution. Rosenberg answered the question by arguing that two thousand years of statelessness and powerlessness did not annul a people's history or its right to survive. Howe was impressed by the way in which Rosenberg demonstrated that the Jews "had lived in the narrow spaces of an autonomous history and a self-affirmed tradition"²⁴ and had survived because of an inner necessity derived from collective memory.

Although Howe saw that Rosenberg, like Sartre, failed to weigh the significance of the emerging state of Israel—a powerful declaration of the Jewish people's will to live—he felt that Rosenberg, in his "insistence upon the integrity of the inner history of the Jews, despite the absence of governments, armies, and diplomacies," spoke for him and other "partial Jews," who believed that, without being a race or a nation or a religious community, Jews could nevertheless remain together as a people (in Rosenberg's words) "in a net of memory and expectation." But, in the very moment of identification with



Photographer: Sadie Leibowitz

Edward Alexander and Irving Howe standing outside Congregation Sephardic Bikur Cholim, Seattle, 1976.

Rosenberg's affirmation of a Jewish identity rooted in history rather than religion, Howe introduced a devil's advocate into the midst of his most cherished belief. He conjectured that, had Sartre troubled to reply to Rosenberg, "he could have raised the question of whether the present historical condition of the Jews would long permit them to claim or keep ties with their 'ultimate beginnings.'" There might be a net of memory and expectation, but "what if the net grows increasingly full of holes?"²⁵

Although Howe tended to associate secular Jewishness, the creed he now adopted, with Polish Jewry between the two world wars, and with the immigrant quarters in America, its history may be traced back to a much earlier time. Writing about nineteenth century European Jewry, Arendt, in her study of anti-Semitism, had described a new Jewish type defined not by nationality or religion but by certain psychological attributes and reactions, the sum total of which was supposed to constitute "Jewishness." She even foresaw the political direction that this perversion of Judaism would take: ". . . without faith in chosenness, which charged one specific people with the redemption of the world, Messianic hope evaporated into the dim cloud of general philanthropy and universalism which became so characteristic of specifically Jewish political enthusiasm."²⁶ (Arendt thus preceded Howe in pointing out that universalism is the specifically Jewish form of parochialism.)

Howe was too intelligent and honest a man to scant the problems bound to afflict Jews who did not believe in Judaism as a religion. Like Arendt, he saw the danger inherent in separating the concept of chosenness from the messianic hope. In *World of Our Fathers* he wrote that "A good portion of what was best in Jewish life, as also what was worst, derived from this secularized messianism as it passed on from generation to generation. The intense moral seriousness . . . was shadowed by a streak of madness, the purity of messianic yearning by an apocalyptic frenzy."²⁷ Even when he was lured into participating in one of Michael Lerner's grotesque jamborees designed to demonstrate that Torah follows an arrow-straight course from Sinai to the left wing of the Democratic Party, Howe would stand back and declare that there is no sanction in Jewish religion for liberal politics. "To claim there is a connection," he said in 1989, "can lead to parochial sentimentalism or ethnic vanity."²⁸ Neither did he conceal from himself the amorphous quality of this secular faith. "The very term 'Jewishness,'" he acknowledged, "suggests, of course, a certain vagueness, pointing to the diffusion of a cultural heritage. When one speaks of Judaism or the Jewish religion, it is to invoke a coherent tradition of belief and custom; when one speaks of 'Jewishness,' it is to invoke a spectrum of styles and symbols, a range of cultural memories, no longer as ordered or weighty as once they were yet still able to affect experience."²⁹

In the late forties, Howe's feelings of "Jewishness" were strong but shapeless; in order to lend them coherence, in order to provide for secular Jews a substitute for Torah, he hit upon the idea of establishing what we might call an objective body of sacred texts for the creed of secular Jewishness. These

sacred texts would be the stories, poems, and essays of that most secular body of Jewish writing, Yiddish literature. Editing and translating this body of literature would become a major activity of Howe for the remainder of his life. "This wasn't, of course, a very forthright way of confronting my own troubled sense of Jewishness, but that was the way I took. Sometimes you have to make roundabout journeys without quite knowing where they will lead to."³⁰ One might add, too, that in order to make a return journey you must first leave.

For someone grappling with the implications of the Holocaust, Yiddish was a natural (although not inevitable) place to turn. It was the language of the majority of the victims of Nazism. As a character in Cynthia Ozick's story "Envy; or, Yiddish in America" (1969) laments: "A little while ago there were twelve million people . . . who lived inside this tongue, and now what is left? A language that never had a territory except Jewish mouths, and half the Jewish mouths on earth already stopped up with German worms."³¹ But Yiddish was also the language of many of Stalin's victims, most particularly the Soviet Union's Jewish writers. If misgivings over his failure to attend to the fate of European Jewry led Howe to Yiddish literature, so too did his guilty awareness that an entire "generation of gifted Yiddish novelists and poets came to its end in the prison cells or labor camps"³² of the state whose "experiment" in transforming human nature had been the primary magnet drawing Howe's attention away from the little problems of the Jews in the thirties and forties.

Yiddish literature had begun, in the mid-nineteenth century, as an intensely secular enterprise, a result of the disintegration of the traditional world of East European Judaism. Its only religious aspect was what Howe liked to call the "religious intensity"³³ with which its practitioners turned to the idea of secular expression. Isaac Bashevis Singer recalls how, when he was a young man in Warsaw in the twenties, religious Jews "considered all the secular writers to be heretics, all unbelievers—they really were too, most of them. To become a *liverat* was to them almost as bad as becoming a *meshumed*, one who forsakes the faith. My father used to say that secular writers like Peretz were leading the Jews to heresy. He said everything they wrote was against God. Even though Peretz wrote in a religious vein, my father called his writing 'sweetened poison,' but poison nevertheless. And from his point of view, he was right."³⁴ But in the aftermath of the Holocaust this largely secular literature could easily take on a religious aspect. Traditionally, in the bilingual Jewish cultural household, Hebrew had been the sacred tongue, Yiddish the *mame-loshen* or vernacular; but now Yiddish became for many the "dead" language of martyrdom while Hebrew was being used for, among other things, purchasing unkosher meat in Tel-Aviv. As Jacob Glatstein, whose poetry Howe championed above that of all other post-Holocaust Yiddish poets, wrote: "Poet, take the faintest Yiddish speech,/fill it with faith, make it holy again."³⁵

In retrospect, we might view Zionism and Yiddishism as competitors for the loyalty of those who have, in this century, believed that Jewish life could be perpetuated in secular form; the Zionists insisted that this miracle could take

place only in the Land of Israel, the Yiddishists believed it could happen in the Diaspora. For Howe, Zionism was not a serious option because he had little taste for nationalism and he “wasn’t one of those who danced in the streets when Ben Gurion made his famous pronouncement that the Jews, like other peoples, now had a state of their own.” What he himself called his ingrained “biases”—cosmopolitan socialism—kept him from such vulgar joy as might accrue from images of “a sunny paradise with stern pioneers on kibbutzim, rows of young trees, and the best hospitals in the world.”³⁶ It is also dismaying to recall that Howe had nothing whatever to say about the new state of Israel in 1948. Indeed, one may scan the pages of *Partisan Review*, edited by William Phillips and Philip Rahv (formerly known as William Litvinsky and Ivan Greenbaum) for 1947–49 without finding a single discussion of the most momentous event in modern Jewish history.

In what sense, then, was Yiddish literature a seminal source for the creed of secular Jewishness? Howe first undertook to tell its “brief and tragic history” in his lengthy introduction to *A Treasury of Yiddish Stories*, a crucial document in his intellectual history because it is the first public expression of his “reconquest” of Jewishness. It is at once a celebration and a mourning. The survival of Yiddish over the centuries, he says, “reflects the miracle of Jewish survival itself.” Yet Yiddish literature itself began at an ending, and this long before the Holocaust. Yiddish literature deals with the *shtetl* when Jewish life there still has a culture and an inner world of its own but is under fierce attack from modernizing and external influences. “Yiddish reaches its climax of expressive power,” he asserts, “as the world it portrays begins to come apart.”³⁷ So intrigued was Howe by this phenomenon that he would later come close to making it a touchstone of value in literature. In his introduction to *Jewish-American Stories* he says that in both Southern regional writing and American-Jewish writing, “a subculture finds its voice and its passion at exactly the moment it approaches disintegration.”³⁸ Yiddish literature flourished, he argued, in the historical interim between the dominance of religion and the ascendance of nationality; hence Yiddish literature “became a central means of collective expression for the East European Jews, fulfilling some of the functions of both religion and the idea of nationality.”³⁹ Unwittingly, perhaps, Howe here suggests the eventual triumph of Zionism—for which he had very little affection in 1953—over Yiddishism; or at least he intimates that once Yiddish had served the purpose of keeping Hebrew alive in a kind of warm storage over the centuries it would retreat and leave the two real adversaries—religion and nationalism—to contend against one another.

At the same time (as noted in the beginning of this essay) Howe praised Yiddish literature and the culture it reflected most warmly for the very characteristics that made the opposing camp of secular Jews, the Zionists, reject it. “The virtue of powerlessness, the power of helplessness, the company of the dispossessed, the sanctity of the insulted and the injured—these, finally, are the great themes of Yiddish literature.”⁴⁰ Howe does not take up the question of

whether pride in powerlessness is justified when there was no alternative to it. To a Zionist writer like Hillel Halkin, of course, it seems the obvious question: "We Jews have been unique among the peoples of the earth," says Halkin, "for having lifted our hands against no one; yet is it not belaboring the obvious to point out that being so downtrodden ourselves, there was no one to lift them against? . . . It makes as much sense to take pride in such a record, or to attribute it to our superior moral instincts, as it does for a man starving for lack of money to buy food to boast of his self-control in keeping thin."⁴¹ Writing at a time when the young state of Israel had already for five years been under what would prove a permanent state of siege by the Arab nations, Howe defiantly set the sacred texts of Yiddish literature in opposition to the imperatives of Zionism: "the prevalence of this [antiheroic] theme may also help explain why Zionists have been tempted to look with impatience upon Yiddish literature. In the nature of their effort, the Zionists desired to retrieve—or improvise—an image of Jewish heroism; and in doing so they could not help finding large portions of Yiddish literature an impediment. The fact that Yiddish literature had to assume the burden of sustaining a national sense of identity did not therefore make it amenable to the needs of a national ideology."⁴²

Among the founding fathers of Yiddish literature, the figure most immediate to Howe's own concerns and sensibility was I. L. Peretz, the Polish writer who believed in and strove for Jewish national revival—a mainly cultural revival in Poland, not a political one in Palestine. Peretz, like Howe after him, was strongly opposed to religious orthodoxy: "Pious Jews are a suppressing majority. To the pious Jew everything is holy. The pettiest law recorded in Hebrew lore, the most insignificant and foolish custom—the entire Diasporal rope that winds from generation to generation around his neck and throttles and almost chokes him out of his breath—he regards as holy!" And yet Peretz was reluctant to undermine the foundations of traditional faith. "Yet one must confess—tragic as it may be and strange as it may sound—that this shortening of breath, this opiating of the Jewish life-pulse, has greatly helped the Jews to withstand and to endure the coal-black and blood-red times of the Inquisition, the massacres, and the like periods of woe that no other nation could survive. . . ."⁴³

Howe was like Peretz in searching for a secular version of Jewishness which would not only stiffen the Jews' collective wish to survive, despite the price to be paid for survival, but also the individual's will to live and to adhere to an ethical code. He was attracted to George Eliot, the English novelist, for example, partly because, though she was deemed the first great godless writer of English fiction, "her 'godlessness' . . . kept prompting her to search for equivalents to belief that would give moral weight to human existence."⁴⁴ One should not confuse Howe's frequent disparagement of organized religious life or the virtual absence of synagogues, yeshivas, and rabbis from *World of Our Fathers* with a contempt for religion itself. His complaint that "the temples grew in size and there was much busywork and eloquence, but God seldom figured as a dominant presence"⁴⁵ is not the snarl of an atheist. He could chide socialists for their obtuse disregard for

the unexpected difficulties that the weakening of religious belief, a development to which socialists had greatly contributed, brought to the lives of skeptics. "No matter how alien we remain to the religious outlook, we must ask ourselves whether the malaise of this time isn't partly a consequence of that despairing emptiness which followed the breakup in the nineteenth century of traditional religious systems; whether the nihilism every sensitive person feels encompassing his life like a spiritual smog isn't itself a kind of inverted religious aspiration . . . and whether the sense of disorientation that afflicts us isn't due to the difficulties of keeping alive a high civilization without a sustaining belief. . . ." ⁴⁶

Peretz was not a praying Jew; he rarely went to a synagogue; he never put on prayer-shawl and *tefillin* at home. Maurice Samuel wrote of him that "Peretz paid no attention to the dietary laws, and he never made the benediction before eating a piece of fruit or drinking a glass of water—or of brandy. But what the benediction before food and the grace after it meant to a Chassid, he alone makes the non-Chassid understand. . . . If we who resemble him in these matters want to understand with what intimate joy they were invested for the Chassidim, we shall do best to go to Peretz." ⁴⁷ Convinced that large portions of the Jewish community in Poland were turning away from religion to a secular European perspective, Peretz sought (like George Eliot) to establish, through literature, worldly equivalents for values that the religious tradition, in his view, no longer could sustain.

Howe singled out, as a revealing instance of both the promise and the limits of Peretz's secular Jewishness, the story called "If Not Higher." In it an anti-Hasidic Litvak, skeptical of claims that the great Hasidic rabbi of Nemirov disappears during the penitential season before Rosh Hashanah to intercede in heaven for the Jewish people, hides himself under the rebbe's bed to observe his rival. He discovers that at the time when the rebbe's followers suppose him to be ascending to heaven to conciliate the invisible powers he is in fact, in the guise of a peasant, felling a tree to supply a sick woman with firewood. While he lights the fire for her, he recites the penitential prayers. Witnessing this, the Litvak is "converted" to Hasidism. The rebbe really has been ascending to heaven, "if not higher." That is, he impresses the doubting Litvak as a saint after all, but a secular saint, whose religion is justified because it inspires him to selfless ethical behavior. Howe interprets the story as "a parable of [Peretz's] own literary situation," making the Litvak a *persona* of Peretz himself, who can say nearly everything in favor of Hasidism—it is conducive to joy, to morality, to Jewish survival—everything except that it is true. "From Hasidism," Howe concludes, "Peretz tried to extract its life-strength, without finally crediting its source. The attempt was impossible. . . ." Yet Peretz was able to transform Hasidic material into "fascinating parables of a dilemma that was not his alone." ⁴⁸ It was the dilemma of Howe himself and, so he believed, of growing numbers of Jews no longer willing to credit or be controlled by religious tradition. But if Peretz's attempt to substitute literature for religion was "impossible," how much more so Howe's attempt, given an audience of Jews

without Jewish memories (and, of course, without Yiddish)? At the very outset of his project to establish Yiddish literature as the spiritual source of secular Jewishness, Howe sounded a note of skepticism.

Peretz's ambivalent relation to Hasidic materials and Hasidic faith became for Howe the paradigmatic emblem of late nineteenth-century writers (gentile as well as Jewish) convinced of the utility of a faith they no longer believed in. "He had abandoned strict faith, yet it must be remembered—this is perhaps the single overriding fact in the experience of Yiddish writers at the end of the nineteenth century—that faith abandoned could still be a far more imperious presence than new creeds adopted. Like such Western writers as George Eliot and Thomas Hardy, he found himself enabled to draw upon traditional faiths and feelings precisely *through* the act of denying them intellectually; indeed, the greatest influence on the work of such writers is the rich entanglement of images, symbols, language, and ceremonies associated with a discarded belief."⁴⁹ Yiddish literature flourished in an age of equipoise that could never come again. Had *haskalah* and Zionism and socialism not encouraged secularism among Eastern European Jews, Yiddish literature could not have developed or survived. But if secularism had succeeded in *obliterating* traditional faith and rabbinical authority, Yiddish literature would have withered and died, or—a subject I shall turn to shortly—"evolved" prematurely into something like American Jewish writing in the Yiddish language. Instead, there was a "wonderful interregnum" in which "the opposing impulses of faith and skepticism stand poised, locked in opposition yet sharing a community of culture. This interregnum, which began about the middle of the nineteenth century and has not yet come to an end, found its setting in czarist Russia, Poland between wars, and in various points of Western exile and immigration, notably the United States."⁵⁰ The sacred texts of secular Jewishness to which Howe directed American Jewry in his volumes of translated stories, poems, and essays were redolent not of a self-confident golden age but of a precariously balanced one, with the forces of permanence and progression represented in creative tension: "You could denounce religion as superstition and worse, but the Yom Kippur service shook the heart, and the voices of the Talmud lured the mind. You could decry the secular writers as apostates and worse, but no one with a scrap of Yiddish could resist Mendelev's acrid satires or Sholom Aleichem's sadly ironic stories."⁵¹

But if the great Yiddish writers like Peretz already stood at one considerable remove from the faith which they celebrated without crediting, and Yiddish literature was itself a major break within, even from, the Jewish tradition, could modern Jews derive strength and identity from that faith by reading the Yiddish writers?⁵² That Howe himself did we cannot doubt, despite his protestations that he would not let his work in Yiddish literature "become an unearned substitute for a defined Jewishness—especially at a moment when undefined Jewishness was too readily becoming a substitute for traditional Judaism." He was strongly attracted to the idea of a Jewishness split away from

yet dependent upon traditional Judaism, and the poems and stories helped him to renew his bond with his father as he embodied immigrant Jewishness. He claimed to have no thought of making his work in Yiddish a basis for some program that younger Jews might follow, especially those younger Jews “pinched into the narrowing sector of Jewish secularism.”⁵³ Yet, given the permanently problematic condition of American Jewish life, the increasing unlikelihood either of a full return to religious faith or of a total abandonment of Jewish identification, who can doubt that Howe for a long time thought of his numerous volumes of Yiddish translations as offering a third way of being Jewish, neither religious nor nationalistic?

And why not? By now, as Jacob Neusner and others have pointed out, we have had two generations of American Jews educated in a Jewishness as far removed from their own immediate experience as Yiddish culture is. The Jewishness based on the European Jewish experience of the Holocaust and the Jewishness based on the Israeli Jewish experience of a constant burden of struggle against relentless enemies have been tried, and found wanting—if the epidemic proportion of intermarriage between Jews and unconverted gentiles and the suicidally low birthrate of Jews may be taken as valid indications of a people’s loss of the will to live.⁵⁴ We have also had, in the past quarter-century, the proliferation of Jewish Studies programs at the universities. Since, as Alvin Rosenfeld has pointed out,⁵⁵ these programs have developed on campuses at a time when a large portion of American Jewry is in the process of disappearing, the question of their relation to the constituency that often supports them financially and politically is a pressing and delicate one. Although scholars of Jewish Studies profess purely academic rather than parochial aims, everybody knows that funding of Jewish Studies programs often comes from people who expect these programs somehow to solve the national and cultural problems of the Jewish students who form a large segment of their clientele. But the problems have proliferated even faster than the programs. (Perhaps it should come as no surprise that studying about Jews and Jewish history and culture does not produce Jews: we don’t hire chemists when we require cooks, or mineralogists where masons and carpenters are needed.) In such circumstances, Howe might have been forgiven for thinking, even if he never quite said, that Yiddish literature was as good a basis for secular Jewishness as any other.

Once upon a time, of course, American Jews did not require books to nourish the roots of secular Jewishness and connect them with their past. They had brought these from the old country, or they had parents who had brought them. Howe’s most ambitious Jewish book, *World of Our Fathers*, celebrated the code of *menshlichkeit* in the immigrant Jewish milieu as a rich and complicated ethic, “a persuasion that human existence is a deeply serious matter for which all of us are finally accountable.” He acknowledged that “We cannot be our fathers, we cannot live like our mothers, but we may look to their experience for images of rectitude and purities of devotion.”⁵⁶ Nevertheless, he observed, very little of what had held the immigrant Jews together—customs, traditions,

language—had been able to survive much beyond a century; American society, by the very lure of its receptiveness, induced the Jews to surrender their collective self.

If, in Howe's mind, Yiddish literature flourished, paradoxically, by depicting a traditional, religious society on the verge of disintegration, then American-Jewish literature found its voice in depicting the immigrant milieu, which is to say the society based upon secular Jewishness, on the verge of *its* disintegration. In his introduction to *Jewish-American Stories*, Howe argued that the distinctive note of second-generation Jewish writers in this country was "the continued power of origins, the ineradicable stamp of New York or Chicago slums, even upon grandsons and granddaughters who may never have lived in or seen them. But is that not an essential aspect of the Jewish experience?—the way the past grips and forms us and will not allow us to escape even when we desperately want to."⁵⁷

But if Yiddish writers were at one large remove from Jewish tradition, then American Jewish writers who began with the secularized culture of Yiddish could have only the most feeble relationship with Jewish tradition in its fullness. Nevertheless, just as the Hasidic faith that Peretz cast aside had a more powerful hold over him than the secular faiths he adopted, so did the "broken and crippled" tradition of Yiddish and secular Jewishness still display enormous power over writers apparently ready, even eager to shake it off. This did not mean that every Jewish writer who made gestures in this direction was authentic. Howe saw the need, even when dealing with what might be called an imitation of an imitation, to enforce distinctions and uphold standards. Philip Roth, for example, wrote out of "a thin personal culture," which meant either that he came "at the end of a tradition which can no longer nourish his imagination or that he has . . . chosen to tear himself away from that tradition."⁵⁸ The spiritually anemic middle-class American Jews who were responsible for the travesty of Sholem Aleichem called *Fiddler on the Roof* were compounding their guilt for losing touch with their past by indulging in unearned nostalgia. Their popularization of Sholem Aleichem showed that Yiddish culture in this country was declining not from neglect, nor hostility, nor even ignorance, but from love and (a highly significant choice of word) "tampering."⁵⁹ Of all the American Jewish writers of the last few decades, Saul Bellow was for Howe not only the most gifted but the most serious, and the most Jewish in his seriousness. He wrote in a style that drew heavily from the Yiddish in intonation and rhythm, and showed a more confident and authoritative relation to Yiddish than most other American Jewish writers. "In him alone, or almost alone, the tradition of immigrant Jewishness, minus the *Schmaltz* and *schmutz* the decades have stuccoed onto it, survives with a stern dignity."⁶⁰ If, by the 1980s, there were no young writers in Yiddish, there were very few writing in English who were capable of much more than revisiting the old neighborhoods and the old Bolshevik politics.⁶¹ In the very volume where he sought to make a case for the American-Jewish writers as a kind of regional sub-division of American literature, Howe declared that "My own view is that

American Jewish fiction has probably moved past its high point. Insofar as this body of writing draws heavily from the immigrant experience, it must suffer a depletion of resources, a thinning-out of materials and memories. . . .”⁶²

That is to say, the younger practitioners of American-Jewish literature could not sustain themselves on the shards of secular Jewishness. And what of Irving Howe himself? One of the sternest, most heroic aspects of his character was his insistence that Jewish authenticity “means not to claim more than one has a right to.” He never claimed to be more than “a partial Jew.” He knew that, with his usual talent for attaching himself to lost causes, he had moved close to the Yiddish milieu just when it was nearing its end and that his own relationship with secular Jewishness was a reenactment of the relationship that had existed between the secular Jewishness of the Yiddish writers and traditional Judaism. Secular Jewishness had served him well (though not better than he served it), and “helped me get through my time,” but whatever his initial hopes for the work in editing English traditions of Yiddish literature might have been, he eventually “stopped pretending that this tradition could provide answers to the questions young people asked.”⁶³ In July 1977, shortly after the death of his long-time collaborator on the Yiddish volumes, Eliezer Greenberg, Howe wrote to me that Greenberg’s death had severed his link with the world of Yiddish culture, and that he didn’t much care for whatever new Jewish world was coming into view.⁶⁴

Soon he even admitted that the competing party in secular Jewishness had vanquished his own. “When the writer Hillel Halkin sent from Israel a powerful book arguing that the Jews in the West now had only two long-range choices if they wished to remain Jews—religion and Israel, faith and nationhood—I searched for arguments with which to answer him. But finally I gave it up, since it seemed clear that the perspective from which I lived as ‘a partial Jew’ had reached a historical dead end and there, at ease or not, I would have to remain.”⁶⁵

This does not mean that the party to which he appears to have conceded victory is itself out of danger—by no means. Halkin himself, in the very book that convinced Howe of the obsolescence of his enterprise, had expressed the fear (already widespread among American Zionist thinkers like Maurice Samuel and Ludwig Lewisohn from the thirties onward) that the state of the Jews might one day be ruled, intellectually and politically, by Hebrew-speaking Gentiles, who would not merely outgrow but throw away their religious past: “I do not believe,” Halkin wrote, “that a polity of Israelis who are not culturally Jews, whose roots in this land go no deeper than thirty years and no wider than the boundaries of an arid nation-state, has a future in the Middle East for very long. In one way or another . . . it will be blown away like chaff as though it never were, leaving neither Jews nor Israelis behind it.”⁶⁶ In a recent essay in *Commentary*, he observed that the hatred for Judaism of a very large segment of Israeli intellectuals, including many who set the tone for the present government, has now become a hatred of Zionism itself.⁶⁷ Another shrewd Israeli writer, Daniel Elazar, recently observed that “the non- or anti-Zionists within the Israeli peace camp . . . see in the goals and values of

Zionism, as in those of Judaism much more generally, their *bete noire*. "Secular Jewishness in its Zionist incarnation, he argues, had once upon a time offered its adherents tasks and challenges equivalent to those of religious Judaism and, for a time, even more compelling. "But," Elazar continued, "as those tasks have been completed and challenges overcome, it has gone the way of every other secular movement in Jewish life that has made secularism its Jewish end." That is to say, it no longer suffices to motivate people to postpone the pursuit of happiness in favor of larger and distinctively Jewish aims. The debate over the so-called "peace process," according to Elazar, has sharpened and exacerbated the split "between those [Israeli] Jews who seek normalcy and those who feel in some way obligated or bound by their Jewishness. . . . Normalcy may be good for Jews but, left alone to unfold, will end the Jewish state as such."⁶⁸

None of this should be taken to mean that Irving Howe despaired prematurely over the fate of his version of secular Jewishness, only—only!—that the overall situation of the Jews may be even more desperate than he imagined. The shopworn state of Zionism should not excuse those who now invoke Irving Howe as a prophet of secular Jewishness⁶⁹ in the Diaspora from facing up to the fact that its most brilliant expositor, the man who endowed it with a special twilight beauty, ceased to believe in it long before he died.

NOTES

1. *The Selected Poems of Jacob Glatstein*, trans. Ruth Whitman (New York: October House, 1972), p. 109.
2. Letter to the author, 30 April 1993. Regrettably, I am unable to quote directly from Howe's letters in my possession because his literary executor refuses permission to do so.
3. *A Treasury of Yiddish Stories*, ed. Irving Howe and Eliezer Greenberg (New York: Viking, 1953), p. 38.
4. *A Margin of Hope: An Intellectual Biography* (San Diego: Harcourt Brace Jovanovich, 1982), p. 264.
5. "A Dialogue of the Mind with Itself: Chaim Grade's Quarrel with Hersh Rasseyner," *JUDAISM* 84 (Fall 1972): 392–404.
6. Letter to the author, undated.
7. Letter to the author, 2 June 1983. See *A Margin of Hope*, p. 265.
8. "The Function of Criticism at the Present Time," in *Essays in Criticism: First Series*.
9. *World of Our Fathers* (New York: Harcourt Brace Jovanovich, 1976), pp. 392, 291.
10. "The Treason of the Critics," *New Republic*, 12 June 1989, 31.
11. "The Value of the Canon," *New Republic*, 18 February 1991, 42.
12. "The Treason of the Critics," 31.
13. Letter to the author, 18 July 1977.
14. *A Margin of Hope*, p. 314.
15. Letter to Robert B. Heilman, 21 March 1991.
16. *The Critical Point* (New York: Horizon Press, 1973), p. 232.
17. *A Margin of Hope*, p. 269.
18. See, on this group, *The 'Other' New York Jewish Intellectuals*, ed. Carole S. Kessner (New York: New York University Press), 1994.

19. *A Margin of Hope*, p. 251.
20. Midge Decter, "Socialism and Its Irresponsibilities: The Case of Irving Howe," *Commentary* 74 (December 1982): 27.
21. William Phillips, "A Skeptic and a Believer," *Forward*, 14 May 1993.
22. *A Margin of Hope*, pp. 275–76.
23. Quoted by Howe in *A Margin of Hope*, p. 254.
24. *A Margin of Hope*, p. 255.
25. *A Margin of Hope*, p. 256–57.
26. Hannah Arendt, *The Origins of Totalitarianism*, 3 vols. (New York: Harcourt, Brace & World, 1951), III, p. 74.
27. *World of Our Fathers*, p. 646.
28. Edward Rothstein, "Broken Vessel," *New Republic*, 6 March 1989, 19.
29. Introduction to *Jewish-American Stories* (New York: New American Library, 1977), pp. 9–10.
30. *A Margin of Hope*, p. 260.
31. Cynthia Ozick, "Envy; or, Yiddish in America," *Commentary* 48 (November 1969): 44.
32. *Ashes Out of Hope: Fiction by Soviet-Yiddish Writers*, ed. Irving Howe and Eliezer Greenberg (New York: Schocken, 1977), p. 1.
33. *Voices from the Yiddish: Essays, Memoirs, Diaries*, ed. Irving Howe and Eliezer Greenberg (Ann Arbor: University of Michigan Press, 1972), p. 2.
34. Joel Blocker and Richard Elman, "An Interview with Isaac Bashevis Singer," *Commentary*, 36 (November 1963), 368.
35. "In a Ghetto," *Selected Poems of Glatstein*, p. 110.
36. *A Margin of Hope*, p. 276–77.
37. *A Treasury of Yiddish Stories*, pp. 21, 28.
38. *Jewish-American Stories*, p. 3.
39. *A Treasury of Yiddish Stories*, p. 30.
40. *A Treasury of Yiddish Stories*, p. 38.
41. Hillel Halkin, *Letters to An American Jewish Friend: A Zionist's Polemic* (Philadelphia: Jewish Publication Society, 1977), p. 94.
42. *A Treasury of Yiddish Stories*, p. 39.
43. Quoted in Charles Madison, *Yiddish Literature: Its Scope and Major Writers* (New York: Schocken Books, 1971), pp. 107–08.
44. *Selected Writings: 1950–1990* (San Diego: Harcourt Brace Jovanovich, 1990), p. 350.
45. *A Margin of Hope*, p. 278.
46. *The Critical Point*, pp. 16, 27.
47. Maurice Samuel, *Prince of the Ghetto* (New York: A. A. Knopf, 1948), pp. 178–79.
48. *A Treasury of Yiddish Stories*, p. 58.
49. *Selected Stories: I. L. Peretz*, ed. Irving Howe and Eliezer Greenberg (New York: Schocken, 1974), p. 10.
50. *A Treasury of Yiddish Poetry*, ed. Irving Howe and Eliezer Greenberg (New York: Holt, Rinehart and Winston, 1969), p. 10.
51. *Voices from the Yiddish*, p. 5.
52. To some extent, Christians had already experimented with the idea of literature as a substitute for religion. As early as 1841, John Henry Newman wrote derisively that "a literary religion is . . . little to be depended upon; it looks well in fair weather, but its doctrines are opinions, and, when

called to suffer for them, it slips them between its folios, or burns them at its hearth." Nevertheless, Matthew Arnold, almost forty years later in "The Study of Poetry," insisted that "The strongest part of our religion today is its unconscious poetry."

53. *A Margin of Hope*, pp. 267–69.

54. See Jacob Neusner, "Jewish Secularism in Retreat," *Jewish Spectator* (Winter 1994–95), 25–29.

55. Alvin H. Rosenfeld, "The Aims of Jewish Studies," in Moshe Davis, ed., *Teaching Jewish Civilization: A Global Approach to Higher Education* (New York: New York University Press, 1995), 44.

56. *World of Our Fathers*, p. 645.

57. *Jewish-American Stories*, p. 6.

58. *The Critical Point*, p. 147.

59. "Tevee on Broadway," *Commentary* 38 (November 1964), 75.

60. *The Critical Point*, p. 135.

61. See, on this subject, Cynthia Ozick: "Nothing is less original, by now, than, say, Parisian or New York novelists 'of Jewish extraction' who write as if they had never heard of a Jewish idea, especially if, as is likely, they never have. . . . It becomes increasingly tedious to read about these hopelessly limited and parochial characters in so-called Jewish fiction whose Jewish connections appear solely in the form of neighborhood origin or played-out imitative sentence structure or superannuated exhausted Bolshevik leaning."—*Metaphor and Memory* (New York: Knopf, 1989), p. 234.

62. *Jewish-American Stories*, p. 16.

63. *A Margin of Hope*, pp. 280–82.

64. Letter to the author, 18 July 1977.

65. *A Margin of Hope*, p. 281.

66. *Letters to An American Jewish Friend*, 199–200.

67. "Israel Against Itself," *Commentary* 98 (November 1994). He might have cited as evidence the recent study days at Tel Aviv and Haifa universities in which professors have laid out the conditions for Israel's "survival." These include nullifying the Law of Return, replacing the Israeli flag with another that does not have a Magen David, substituting for the *hatikvah* a national anthem that also expresses the aspirations of the Arabs, canceling the definition of Israel as the "state of the Jewish nation" and defining it instead as a state of Israeli citizens, and so forth.

68. "The Peace Process & the Jewishness of the Jewish State," *Congress Monthly* 61 (November/December 1994), 3–4. The first sentence quoted from Elazar's original essay did not appear in the version printed in *Congress Monthly*, but was quoted in Halkin's *Commentary* essay.

69. See, for example, the clownish novelist Mordecai Richler in his recent memoir *This Year in Jerusalem* (New York: A. A. Knopf, 1994). He "refutes" the Zionist thesis of Halkin by listing prominent Jews who, by virtue of living in the Diaspora, are supposed to demonstrate that this is where the Jewish future lies. Among his exemplars of Diasporism and secular Jewishness is Irving Howe.

***Awaiting Translation:
Lev Konson's Gulag Stories***

LEONA TOKER

THAT SOVIET CONCENTRATION CAMPS (THE SO-CALLED “Gulag”)¹ make up an integral part of modern Jewish history is by now recognized. Yet one hardly knows how to deal with this awareness. The reasons for the unwieldiness of the issue are multiple: the dwarfing shadow of the Holocaust, the presence of Jews on both sides of the Gulag barricade, and, in particular, the belief that it was only at the later stages of Stalin’s rule that Jews were imprisoned merely for being Jews. In actual fact, the *official* anti-Semitism in the USSR erupted in the last years of World War II. It was given a boost at the end of 1948; though in the press the word “Jew” was contemptuously replaced by “cosmopolitan” or “passportless vagabond.” Three years later came a sudden wave of brutal persecutions of Jewish physicians—Stalin’s version of the *Kristallnacht*. Even that, however, could be regarded not merely as a chapter in the history of anti-Semitism but also as a chapter in the history of Soviet totalitarianism with its resurgent need for new and bigger scapegoats. The imprisonment of Zionist activists between the late sixties and the perestroika is likewise both an episode in Jewish history and part of the history of the dissident movement in the USSR. While it is largely correct to say that the Gulag is an issue that is basically not Jewish, as an experience that great numbers of Jews have shared with other nations (Russians, Ukrainians, Tartars, Central Asians, Baltics, Transcaucasians, to mention but a few), it is very much a part of the living past of the nation that is still in process of being molded in Israel.

Jewish Gulag veterans have played an important role in the history of Gulag writing. Among the earliest postwar Gulag memoirists were several Polish Jews who had either managed to leave the Soviet Union with the Polish army (which, in his initial panic at the German invasion, Stalin allowed General Anders to form, mainly out of the Polish prisoners released from the camps owing to the so-called Sikorski amnesty of August 1941)² or, as former Polish citizens, were allowed to repatriate.³ A most extraordinary early testimony about Soviet prisons of the Great Terror years was *The Conspiracy of Silence* by Alexander Weissberg,⁴ one of the communists extradited by the Soviet security organs to the Gestapo in accordance

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with the Molotov-Ribbentrop agreement (he eventually managed to escape from the ghetto and join the Resistance movement). In the seventies, many Jewish Gulag survivors emigrated from the Soviet Union and told their stories. The latest waves of immigration to Israel will also add to the constantly growing library of Gulag materials; though it is no longer necessary to move to the West in order to publish one's memoirs of Soviet prisons and camps.

A special place in the Gulag corpus belongs to books that were circulated in *samizdat* or published in the West while their authors were still living in the pre-perestroika Soviet Union. Going public with one's true account of the camps in ways that bypassed the official ban on the subject endangered the life or at least the well-being of the author. Of the Jewish memoirists who thus braved the odds, impelled either by a powerful urge to bear witness or by a belief in the artistic value of their work, the best known are Evgeniya Ginzburg and Lev Kopelev. By contrast, Lev Konson the writer, whose small collection of short stories also passed from hand to hand in Moscow, is hardly known. Soon after his arrival in Israel in 1983, Konson managed to complete a thin cycle of documentary prose, which was published in the original Russian in Paris. The number of copies issued was rather small, and the author was eventually unwilling to increase it by reprinting.

By 1983, the Western public (and those Soviet intellectuals who had access to the *samizdat* and foreign books) had already been offered some centrally important testimonies of the Gulag—by Aleksandr Solzhenitsyn, Varlam Shalamov, Evgeniya Ginzburg, Lev Kopelev, Dimitri Panin, Margarete Neumann-Buber, Elinor Lipper, Gustav Herling, and Julius Margolin, to name only a few of the most powerful witnesses. The Gulag writers of the eighties were therefore facing a new set of problems, the chief among them being their relative belatedness. Though the Gulag is a subject vast enough to accommodate hundreds of writers, the later memoirists had to avoid repeating what had already been done by their precursors. Their choices included corroboration or amendment of earlier testimonies, enhanced horror stories (bordering on a kind of who-suffered-more competition of which Konson disapproves), or emphasis on a personal and individual perspective. Lev Konson opted mainly for the latter.

His motivation, however, did not entirely depend on the historical contingencies of witnessing. Konson still had many things to add to the factual information about the camps. Apart from a few striking portraits that his book contributes to the gallery of martyrs assembled by other writers, it directly confronts the issue of cannibalism in the camps—or rather cannibalism among the fugitives who had to spend many days in inhospitable woods, away from any human habitation. This is a subject that other authors have lacked the courage to deal with—beyond, that is, outright condemnation—or else as some untouchable ultimate horror, Orwell's Room "one-oh-one."⁵ Konson had met and talked to people who had firsthand knowledge of human relationships formed in terms of possible cannibalism, in conditions where the killing of a companion for food was a "thinkable" eventuality. The picture that he paints of the dynamics of such relationships (and such conditions) is not only convincing but also free from the traditional trappings of outrage or moral disgust.

Konson's authorial persona seeks to understand psychological realities and does not claim the right either to condemn or forgive. Two of his stories are told from the point of view of soldiers or free employees: they witness, without

comprehending, such things as a man chained to a wheelbarrow at the mouth of a uranium mine or the extermination of settlers owing to an outbreak of epidemics. While they adopt official attitudes, they are troubled despite their defenses. One of them addresses his narrative to an “uncle” from whom he seeks reassurance (“uncle” was, among other things, the way young soldiers in the Czar’s army respectfully addressed wiser veterans), but the reassurance does not seem to be forthcoming, at least not in the text.

Konson also offers emendations to the story of the Kengir rebellion described in Solzhenitsyn’s *The Gulag Archipelago* (V:12): he tells what he knew, firsthand, of one of the leaders of this rebellion, Gleb Sluchenkov. In his perspective, the heroic personality that Solzhenitsyn wishes to see in Sluchenkov emerges as an ex-criminal, traitor, ideologist of anti-Semitism, and most probably a provocateur. This is not a slur against Solzhenitsyn who has actually voiced a call for correction and emendation. In all his stories, including the story of his acquaintance with the writer Arkadii Belinkov, Konson insists on telling things just the way he saw them. This is why Konson’s contribution to the Gulag corpus is not limited to new factual evidence: his stories present “objective correlatives” of new shades of attitude that modify the kinds of experience explored by precursor writers.

Arrested in 1944, at the age of sixteen, for saying things interpreted as anti-Soviet, Konson lost his health in the camps, along with his chances of a formal education. Instead, he acquired a peculiar insight into some aspects of camp life. He also acquired technical skills that he would eventually use in his work as a lathe-operator at the Beit Shemesh Motor plant near Jerusalem. With the intuition of a skilled workman, Konson puts his finger on the artistic potentialities inherent in the type of “memoirs of ordinary people” that are purged of biographical trivia. His belatedness as a witness becomes an artistic advantage insofar as writing into an existing context sanctions the selection of parts of his former experience and releases him from the duty of turning the whole of his camp ordeal into a historical document. The following two-sentence sketch, for instance, implies the reader’s awareness of the chronic hunger of the prisoners and of the callous brutality of the guards:

When we were sent to dig potatoes, we would rub a potato with a piece of glass and eat it raw. Peelings we would bury, otherwise they’d beat us real bad. (10)⁶

Konson, indeed, seems to be well aware of speaking to an informed reader whom he expects to supply the setting and the details of his stories. Hence the terseness of the discourse, comparable to the evocative paucity of brush-strokes in modernist paintings and poems. A large number of his tales deal with the atrocious ways of the criminal convicts and the guards. They provide evidence that supports Solzhenitsyn’s and Shalamov’s analyses and often reveal such features of sexual conduct or work conditions that even the mercilessly frank Shalamov could not bring himself to describe.

The title of Konson’s book is *Kratkie povesti* (“Brief Tales”). The word *povest’* derives from the verb *povedat’*, “to tell,” “to confide,” which is related to the noun *vest’*, “tidings,” and the slightly archaic verb *vedat’*, meaning “to know” (with strong connotations of nonrelational firsthand knowledge).⁷ The prose genre of *povest’* is often understood as being closer to accounts of actual events than is the genre of

rasskaz, “the short story.” The suggestion of truthful informativeness is heightened by the word *kratkie* in the book’s title, used instead of the more common, and slightly longer, *korotkie*. In modern usage, forms of the adjective *kratkij* occur in scientific or business texts, in phrases like “brief descriptions” or “brief communications.” (One of its most notorious uses was in the title of the Stalinist Bible, *The Brief Course of the History of the KPSU (Communist Party of the Soviet Union.)*)

“*Kratkie povesti*” is, however, an oxymoron because *povest*, often translated as “novella,” is usually longer than *rasskaz* or “short story.” Most of Konson’s tales are extremely short—from several pages to several lines on an otherwise blank page.⁸ In the original edition their effect is enhanced by allowing them to occupy an entire page. Printing Konson’s work one should not save paper: the lines should produce an impression of bulging. Konson’s memories have a convex quality; they are real to the point of tangibility and not transparent. The remembered camp reality always remains a mysterious thing in itself—Konson’s achievement lies in presenting it not as a flat *façade* but as a rough, knobby, prickly, stinging, scorching three-dimensional relief.

The stories are difficult to translate because their effect hinges on the choice of words, word order, and sentence structure⁹ (with the forms of the copula *byl/byli*—“was/were” placed at the end of the sentences and the adverbs “so” or “much” after their adjectives or verbs) that distinguish their tone from that of prose “communications” and give it a somewhat plain-folk ring. The brutality of the narrated events contrasts with the relative calmness of the tone, only occasionally punctured by a strident note. The sentences of the very short fragment-type tales are laconic yet unhurried: the author does not seem to fear running out of time, nor does his selection of material seem to be based on urgency.

Particularly brief are the tales that form the first section of the book (written under the influence of the second-century Hellenistic writer Claudius Aelianus; the Russian translation of Aelianus’s *Varia Historia* was published in Moscow in 1963). They contain records of the most brutal events, mainly from the life of criminal convicts in whose oppressive vicinity the political prisoners found themselves until 1949. These events are either presented in austere isolation or joined to bits of information that highlight their paradoxical function and imply still unprobed complexities of human nature.

There was a woman of about thirty. Not good-looking, with a squint. She had a child. She would come over to do the laundry. Urozhai lived with her and bullied her in public, yet he probably loved her. Would not eat the best morsels himself but keep them for her little one. Once he lost everything at cards but would not play for the little red boots he had. I alone knew that he would give them to the kid. (18)

In the theater of the criminal lives, the role of political prisoners was not limited to that of observers:

Born in Lithuania. When her parents were arrested, she overturned the bust of the leader in the classroom. Thus she became a political. A graceful girl. Sang well too. When a propaganda team was formed in our camp, she was brought over to join it. And here Chuma and Shkoda lost at cards and could not pay. To avoid a knifing, they had to leave the camp fast. So they made a plan: came to the propaganda team and dragged the girl to the drying room. She resisted, and

they had a knife. Shkoda raped her while she was all bleeding, and Chuma raped her when dead. They were taken away to the central prison. (25)

The authorial persona of the first half of "Brief Tales" emerges as a very young man. The sentence structure of these tales is plain; longer sentences contain childish inflections; the camp jargon in direct speech utterances is unglossed (a brief glossary is given at the end of the book); narrative commentary is totally absent or else shaped as advice given to (or figured out by) a young prisoner, for example:

If a convoy guard knocks off your cap and throws it aside, don't dare go after it! You'll be killed "during an escape attempt." (27)

The cumulative effect of the sketches is the sense of outrage combined with the recognition that the events described are a part of camp routine. The outrage is the reader's; it is eventually tempered by reflection but it is never blunted. Sarcastic punchlines at the end of some of the sketches preclude the possibility of an unmixed response:

A group of prisoners was herded from the Vanino bay. The people were staggering (and there was no wind). On being brought into the camp zone, they tottered, stumbling and falling, towards the garbage heap (the one near the kitchen). The garbage heap turned into a grey moving mass. They gulped whatever could be gulped. The camp commander tried to drive them away from the garbage, hit them with the stick, with his legs, but they—grown up people—crawled, whimpered, cried, and ate. . . .

That's where a witty solution helped—they started taking the kitchen refuse outside the zone. (32)¹⁰

The blank spaces on the page below every sketch literalize the pause for thinking. The alternation of laconic horror stories with milder sketches preempts the reader's getting inured to images of suffering the way the reader gets inured to the escalating atrocities in Kosinski's *The Painted Bird*.

Another reason why Konson avoids the pitfalls of the Grande Guignole is that, implicitly or explicitly, he presents camp experience as his counterversion of Gorky's *My Universities*, a classic of the genre dealing with the harsh experience undergone at one's formative age.

Between the beginning and the end of the book the speaker is audibly growing older. The tone of wide-eyed adolescence yields to increasingly bitter sarcasm; the sentences grow in length and complexity; and the evaluation of the ambivalent behavior of others is replaced by self-criticism. Though Konson goes further than many authors in reserving judgment, he rejects the comforts of moral relativism in application to himself. For instance, in the story "*Pro voliu*" ("About freedom"), the literal "freedom" stands not only for one's experience after returning from the camps or exile but also for a more limited phenomenon, namely, the prisoner's life following his transfer to a quasi-free labor settlement that was tantamount to exile—a frequent practice around 1955.

The problem of "freedom" in the moral sense is raised implicitly, in the subtext. References to release from the camps are dominated by the survivor's guilt: *tout comprendre* is not *tout pardonner*. On the very threshold of release, while

cherishing the hopes of a return to normal existence, political prisoners are unwilling to risk their lives in order to protect the few women among them from a small but aggressive band of criminal convicts:

Each of us thought approximately as follows: "Well what can I do all by myself?" (And we were thousands of thousands!) "I am now in extraordinary circumstances, of course I cannot now be the way I was before. In order to survive, I must not notice the oppression, I must turn away from it; thus I may, perhaps, live to see freedom. I have an old mother, I've never had a girl, only from others do I know how that is done. I shall have a wife, shall have a son. I shall make him strong. I shall give the world a good man, he will justify me. And I shall be different myself. There, at liberty, I shall not submit to humiliation, I am no rot, I can tell the evil from the good. There life will be normal, and I shall be normal. I have suffered so much, I have deserved that life. I only wish to attain freedom! And there is so much evil, there'll just be one more evil, but I will manage to get to freedom. I shall tell people everything, that is more important than my death. But for that I must just remain alive."

Thus thought those who were not the worst of us. (121–22)

The story is structured on the method of retroactive irony. The account of the prisoners' betrayal of the women on the way to "freedom" is preceded by a framing anecdote: A sophisticated Muscovite referred to as Yasha criticizes the speaker's literary work, saying that his materials are merely rough ore for a qualified writer, that too much has already been written about camps anyway, and that one should not write a book unless one cannot help writing it (an echo of Konstantin Paustovski's view that only the books that one cannot help writing are of value). "And, indeed, I would be able not to write," comments the speaker. "I am very well able not to write. Even this story I could have left unwritten, and if I write it, it is only out of petty vanity. I want to show Yasha, that my pen can dominate more than just the camp theme, that Yasha is simply not aware of all my potential, that I can also write on other subjects. Really, I can write here about freedom too" (118–19). The ensuing narrative, however, has little to do with freedom and still less with a writer's pride in his powers: it is a confession that conveys the almost physical quality of what is figuratively called "heartache." The deliberate self-contradiction of the reference to freedom in the title of the story and the presentation of the loss of moral freedom in the narrative itself emphasizes the gap between Yasha's fatuous critique and the ethical drive underneath the authorial persona's literary ambitions.

It would probably be of little consolation to the speaker of *Brief Tales* that not helping a person is conventionally considered less bad than actually hurting him.¹¹ The problematic character of this moral convention is emphasized by camp experience—there is, indeed, a widespread view that the camps are like the society that produced them, only more so. Since *Gulliver's Travels*, a released prisoner's tendency to view the world at large in terms of his recent prison experience has become a literary topos, much in evidence in most Gulag writing. Whereas most Gulag memoirists often draw parallels between the state of affairs in camp and in the "Greater Zone" outside, Konson sees broader analogies. In the story "Hamsin" he notes the same kind of maliciousness in his fellow workers

at an Israeli motor plant as he had seen in the camp. Yet Konson gives the quasi-Bettelheimian topos of the concentration camp as an *outré* miniature of society, a new twist: a person whose formative years have been spent in the camps cannot but refract new experience through the prism of his “education.”

In the last story of the volume the author denies missing the ecological niche of his native Russia—just like a prisoner described in the previous story who stubbornly denied that he was starving. Nevertheless, the story smuggles in images of hushed lakes, dense forests, mossy tree stumps, and the golden carpet of autumn leaves. The narrator protests that he does not miss all that (the young prisoner who had denied that he was hungry eventually died of chronic undernourishment), and yet it is into the imaginary carpet of the fallen leaves that he seems to sink in the last lines of his book.

As noted above Konson’s book explores the potentialities of the genre known as “memoirs of ordinary people.” The liability of this genre, its lack of a profounder intellectual probing, is here also turned to artistic advantage. “Would you have me look down, supercilious and serene, with the notorious glazed eyes of the philosopher, and dialectalize a meaning into this murdering?” says Ricardo Fontana in Rolf Hochhuth’s *The Deputy*.¹² Konson does not claim a philosopher’s lucid serenity. He writes that he cannot even be honest, though by “dishonesty” he actually means the subjectivity of a camp survivor. The confusion of the terms is deliberate: Konson claims to have read a history of philosophy in prison without knowing the meaning of most of the words—some, he says, he has never learned at all. The ethical motivation underlying his narrative is a protest not only against the camps and the tyranny and atrocities that were allowed to take place there, but also against certain ways of talking about camp—mainly against the deceptive clarities of judgment.

Konson conveys the instinctive warmth that he felt towards some people and the scorn or disgust inspired by others. Yet all the people who appear on his pages remain complex and mysterious. Though he generally presents himself as a learner, an apprentice prisoner, and, as long as he shares a cell with Arkadii Belinkov, an apprentice intellectual, what he does not have to learn is the clever touch, the manual skill. One day, he says, he discovered his true calling. While the reader expects this to be the calling of a writer, Konson’s pride turns out to lie in a mysterious ability to recognize weak places in the prison walls, places that could be scratched still thinner so that the prisoners could communicate. His stories present just that: communication between people, through concave places in the walls—cultural, national, social. As a prisoner, Konson did not, however, make peepholes in partitions: Judas-windows are for jeering guards and malicious outsiders. As a writer, he likewise preserves the sense of mysteriousness in the mixture of good and evil, as well as the tactile quality of memory-waves. The writing seems to be an extension of the “cunning” with which his hands would scratch prison walls or, while working in a smithy, make little monuments for the graves of camp-born babies.

Konson lives with his wife in a modest apartment in one of Jerusalem’s residential districts: a big shelf of books stands in the living room; there are few other possessions beyond the bare necessities. The son that the speaker of his stories has longed for is grown and has a family of his own. In consequence of a mass poisoning in one of the camps, Konson’s hands tremble when at rest; they stop trembling when he picks up his tools and starts working with them. Physicians

know this phenomenon and have a name for it, yet it seems, nevertheless, somehow symbolic. In the world that contains concentration camps in what Auden called some “untidy spot” of the present or the past, there is a constant shuttling between the literal and the figurative planes of meaning.

Some of Konson’s stories have been translated into Hebrew and printed in a newspaper and in an anthology. Both these modes of publication are insufficient and not quite appropriate for the kind of literary phenomenon that his collection represents—these days, when the Gulag is no longer news, one can afford to talk about the art of Gulag prose without incurring imputations of callousness. No English translation has yet been published, though a few efforts to render his texts in this language may have been made by individual readers. The challenge here lies not so much in finding an audience for a topical issue that is, fortunately, no longer hot (though the lessons of the Gulag have not yet been sufficiently assimilated by modern culture), as in deciding upon the most appropriate principles for translating poetic prose that operates not only with lapidary forms of language but also with shades of meaning for which in most other cultures there may be no equivalents.

NOTES

1. “GULAG” is an acronym for the Chief Camp Administration; Aleksandr Solzhenitsyn’s artistry made this somewhat intimidating word apply to the whole of the Soviet concentration-camp empire.

2. This was the case of Jerzhy Gliksman, brother of the Bund leader Victor Alter executed in a Soviet prison during the war. Gliksman wrote *Tell the West* (New York: Gresham, 1948), a systematic account of his flight eastward from the advancing German forces, his arrest at the Lithuanian border (his wife and child, who had not undertaken that particular expedition, perished in the Holocaust), and his experience in the camps prior to the Sikorski amnesty upon which he managed to join Anders’s army. Likewise arrested in Lithuania—as the commander of the Polish Beitar—was Menakhem Begin; after a relatively brief span in the camps he was allowed into Anders’s army (owing, it seems, to sheer force of character). It was, however, only in 1956 that Begin was free to write an account of his imprisonment in the Soviet Union; see *White Nights: The Story of a Prisoner in Russia* [1957], trans. Katie Kaplan (Tel Aviv: Steimatzky, 1977).

3. The most impressive representative of this group is Julius Margolin. A resident of the British-mandate Palestine since 1936, Margolin was revisiting Poland on business in 1939. After the German invasion (September 1, 1939), he fled to his native town of Pinsk, east of the Boug River, territories which were promptly occupied by the Soviet army in accordance with the Soviet-Nazi pact. Arrested for not possessing a Soviet passport, he miraculously survived five years in the camps and, immediately upon his return to Palestine via Poland, wrote one of the earliest (1946) and most thoughtful accounts of the Gulag ordeal. The book, *Puteshestvie v stranu ze/ka* (“Journey into the country of z/k”—the title seems to allude to Gulliver’s dystopian travels), was first published in French translation by Nina Berberova and Mina Journot: *La condition inhumaine: Cinq ans dans les camps de concentration soviétiques* (Paris: Calmann-Lévy, 1949). In Russian it came out only in 1952 (New York: Chekhov Publishing House), and was reprinted in Israel, by the Society for the Preservation of the Memory of Dr. Julius Margolin (Tel Aviv, 1976). The German translation by Vera Piroshkow, *Überleben ist alles: Aufzeichnungen aus sowjetischen Lagern* was published in 1965 (München: J. Pfeiffer).

Two other interesting Gulag memoirists, likewise refugees from Poland, had been rejected by Anders’s army after the medical examination (mainly, they believed, owing to the circumcision). One was Margolin’s townsman Joshua Gilboa; see his *Confess! Confess!: Eight Years in Soviet Prisons*, trans. Dov Ben Aba (Boston: Little Brown, 1968); the other, Antoni Ekart, author of *Vanished Without Trace: The Story of Seven Years in Soviet Russia*, trans. Egerton Sykes and E. S. Virpsha (London: Max Parrish, 1954); first published as *Échappe de Russie* (Paris: Hachette, 1949).

A view of the same events from a non-Jewish standpoint is provided by the memoirs of General Anders himself, the memoirs of the painter Joseph Chapskii, and a powerful though in many ways problematic memoir, *A World Apart* by Gustav Herling Hrudzinski, first published in 1951 (the English translation by Joseph Marek was published by Oxford University Press in 1987). An earlier collection of anonymous memoirs, *The Dark Side of the Moon*, was published in England (Faber and Faber) in 1946, with T. S. Eliot's preface.

4. See Alexander Cybulski Weissberg, *The Conspiracy of Silence*, trans. Edward Fitzgerald (London: Hamish Hamilton, 1952); also published in the United States under the title *The Accused* (New York: Simon and Schuster, 1951). The book is, among other things, a rather unique record of the ways in which the observation of the changes in the population and conditions in prison led an intelligent prisoner to quite far-reaching and accurate conclusions concerning the political changes in the country. Another interesting memoir, with an emphasis on the sociology of the prison and camp inmates, is *Shipwreck of a Generation* (London: Harvil, 1971) by Joseph Berger, one of the founders of the Communist Party of Palestine and probably the highest ranking comintern leader among the survivors of the Gulag.

5. Thus Evgeniya Ginzburg's outraged treatment of the issue in the "Paradise under the Microscope" chapter of the second volume of her memoirs (*Within the Whirlwind*, trans. Ian Bolland [San Diego: Harcourt Brace Jovanovich, 1981], p. 125) is conventional both in terms of the emotion experienced and in terms of the literary expression of this attitude; as Alexander Zholkovsky has shown, her narrative of the event follows a pattern discernible in both classical and modern Russian literature; see "Three on Courtship, Corpses, and Culture: Tolstoj, 'Posle bala' - Zoshchenko, 'Dama s cvetami' - E. Ginzburg, 'Raj pod mikroskopom,'" *Wiener slavistischer Almanach*, 22 (1988): 7-24.

6. The parenthetic page references in the text are to Lev Konson, *Kratkie povesti* (Paris: La Presse Libre, 1983). The translations are mine.

7. Cf. also the verb *izvedat'*, "to have had a taste of something," to have undergone a difficult experience.

8. Victor Nekrasov compares Konson's method here with the short "impressionistic" stories of the Austrian writer Peter Altenberg; see "Lev Konson. 'Korotkie (sic!) povesti,'" *Novoe russkoe slovo*, December 2, 1984.

9. Konson's poetic use of prose is commented on in a review by Yu. Kublanovskii, "Tomov premnogikh tyazhelei" (Heavier than many volumes), *Russkaya mysl'*, January 5, 1984, 12.

10. The sketch can be read as a tribute to the writer Varlam Shalamov whose most powerful stories (usually ending in unexpected punchlines) explored the experience of Gulag prisoners who were on the very verge of hunger dementia. The reference to the Vanino bay sets the sketch in the North-Eastern Siberian region of Kolyma where Shalamov was imprisoned for over fifteen years. Shalamov's main work bears the title *Kolyma Tales*.

11. See Gilbert Harman, *The Nature of Morality: An Introduction to Ethics* (New York: Oxford University Press, 1977), p. 162.

12. Rolf Hochhuth, *The Deputy*, trans. Richard and Clara Winston (New York: Grove Press, 1964), p. 104. Hochhuth's main theme, the absence or insufficiency of the observing world's protest against atrocities, is also an important issue in Konson's book.

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JUDAISM

The Law-based character of Judaism makes a great difference to the account it offers of the relationship between the world and the divine. The link between the human and the divine becomes, for one thing, public rather than private. . . . The exploration of the Law is, in effect, the exploration of the mind of God: hence the joy and pleasure the pious Jew finds in the Law and in making new discoveries concerning the riches which lie hidden in it. . . . The Law is the instrument by which God has chosen to illuminate the darkness of our nature and to transform it into humanity.

Non-Jews commonly think of Judaism as a "legalistic" religion, characterized by obsessive respect for pettifogging religious regulations. But Law, by its nature, demands interpretation to make it applicable to the concrete case. And the process of interpretation thus necessarily has to give voice to moral considerations arising from the circumstance of the concrete case. . . . The notion of divine intervention as operating through a Law whose observance founds and maintains the human world thus preserves a tension between the divine and the world which both keeps the relationship alive and opens it to change and development.

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